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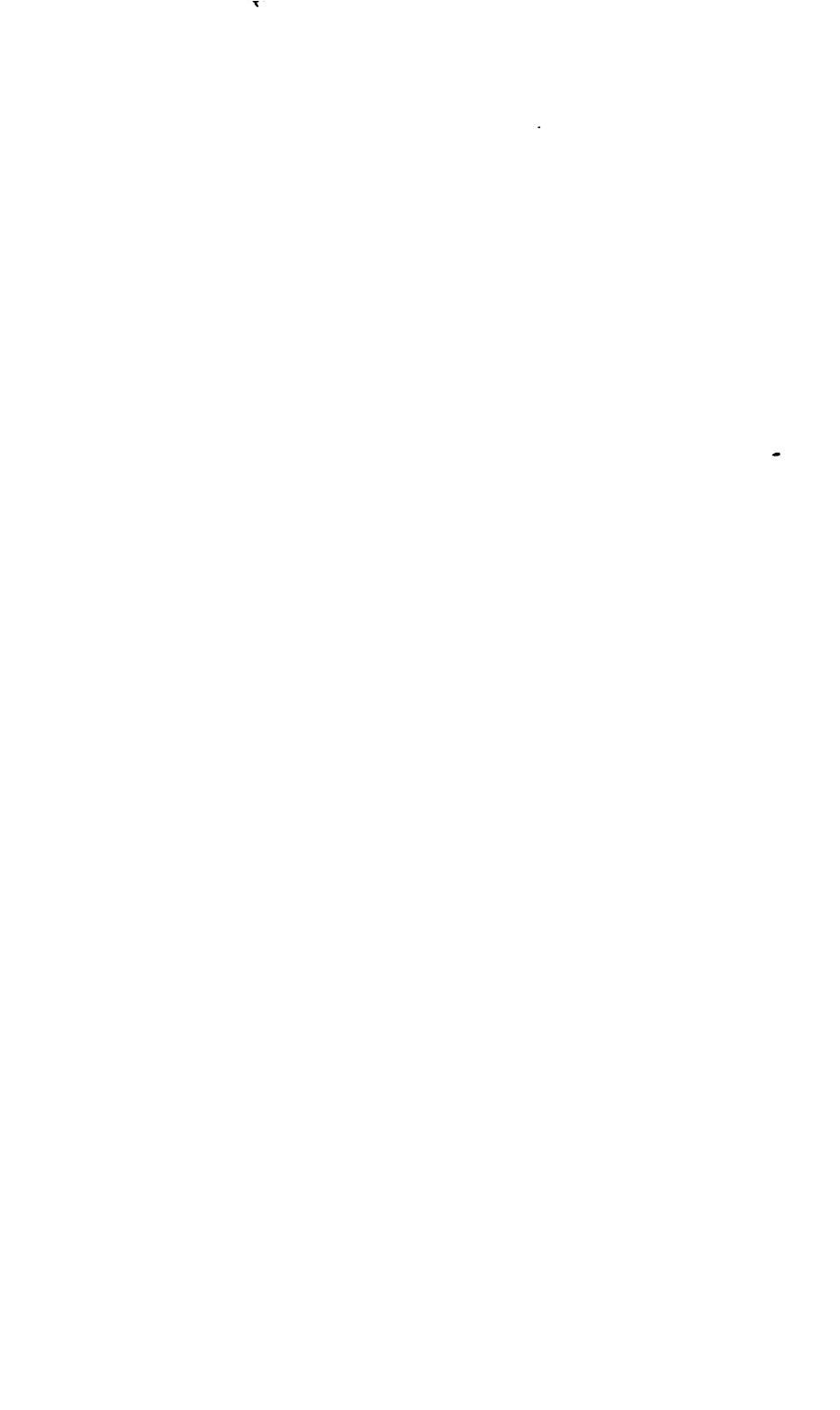


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According to usage preserved during many ages amongst the greater number of modern nations, kings have taken for their chief standard the religious banner of the Saint in whose intercession they had most faith. Saint Martin, one of the first Apostles of the Gauls, and the first patron of its dawning monarchy, was consequently chosen by the kings of the Franks as their patron, and his cope formed their standard.

This cope, which was less, without doubt, the garment of the Saint than the banner of his Abbey, was painted blue, a color which, according to the rites of the Church, was specially adopted by Saints who were confessors. The standard being thus consecrated, the kings considered it a duty of religion to carry it at the head of their armies; blue became therefore the national color of France under the first race. It continued thus up to the accession of the new dynasty of the Carlovingians, when a change was considered necessary both in the national standard and in its color.

For the *Cope of Saint Martin*, the color of which was always preserved in the royal arms, they substituted the Banner of Saint Denis, a patron chosen through the devotion of the new kings. This standard of the Carlovingians is no other than that which has been so celebrated in history under the name of the Oriflamme. This banner, to which historians for a long time gave the title of *Vexillum Sancti Dyonisii*, was, as we know,

* For the First and Second Papers of this series, see IRISH QUARTERLY REVIEW, Vol. VI., No. 23. p. 439; No. 24. p. 647.

composed of red silk, without ornament of gold or silver, "de cendal roujoyant et simple, sans pourtraicture d'aucune affaire," writes Guillaume Guyart in his *Royal Lignage*.

Red, which the church devoted to her martyrs, became thus in its turn the color of the Kings of France : they bore it on their coat of arms during the period of the Holy Wars ; to the end of the fourteenth century they were still faithful to this glorious livery. "Du Guesclin," writes M. Rey, "carried the Red Cross in 1380 against the White Cross of the English in Poitou." But when the Oriflamme ceased to appear at the head of the French army after the defeat at Agincourt, when above all the king of England, Henry VI., became master of Paris and of the Abbey of Saint Denis, and had taken the title of King of France, and hoisted with this title the national standard, France was obliged to abdicate a color that had become antagonistic. Red disappeared from their flags, and, by an odd interchange, it was the white, abandoned by the English, that took its place.

The pious devotion which Charles the Seventh, and his son Louis the Ninth, offered to the Blessed Virgin, was perhaps one of the causes which induced them to select this color, and which preserved it on their flags as an immaculate symbol of the protection of the Virgin, which the vows of the two kings, Charles VII. and Louis XIII. had invoked on France. White was not, however, always, even during the time of the last of the Valois and of the Bourbons, the exclusive color of France. Thus we know that, during the religious wars, Charles IX., and Henry III. gave their soldiers red scarfs and standards, whilst the King of Navarre and the Calvinistic troops hoisted the white banner. The tricolor, adopted in France during the Revolution, was merely by accident chosen by the kings, if not as a standard, at least for a livery. Francis I. Henry II., Francis II., and Henry III. having given those colors to their pages, at a period when partisan costumes were more in vogue than ostentatious dress. Under Henri Quatre, the three colors were still preserved in the uniform of the halberdiers, and the costume of the king's footmen ; and it was not in this instance a capricious choice for Henri Quatre, as the tricolor thus adopted by his household, had become really the national livery of France.

Towards the end of his reign, Holland, having accomplished the crisis of its nationality, demanded from Henry the right

to assume the French colors, to which he consented, and the standard he sent as a proof of his satisfaction to the Stadtholder of Amsterdam was a flag with three colors. Since then Holland has had no other.

At the period of the marriage of Louis XIV., the royal livery presented the singular appearance of a square draught board with the tricolor interwoven through it. The costume borne since this time by the king's people, and in which we always discover a red ground with white and blue lace, is but a souvenir of this tricolor livery.

Here we may note a stranger fact. At the commencement of the eighteenth century, nearly one hundred years before the Revolution, the French soldiers bore for a time the three colors; this was at the period of the triple alliance between the kings of France and Spain and the Elector of Bavaria. When the three armies were being combined, they agreed to give the soldiers a cockade in which, as an emblem of the union of the three people they reproduced the color of each. Thus the white of France, the red of Spain, found itself fatally blended with the blue, the national color, of Bavaria.

We would not, however, wish to attribute to these facts, more casual than premeditated, the origin of the standard and tricolor cockade adopted during the Revolution. In 1789, green, popularised by Camille Desmoulins at the Palais-Royal, was about to become the national emblem; but on recollecting that it was the color of the livery of the Count D'Artois, the most unpopular of the princes, they sought another cockade. It was then that they endeavored to appropriate the colors of the city of Paris; the red and blue, already celebrated in more than one popular émeute, though both were borrowed from the heraldry of the ancient kings, and were the same that Etienne Marcel had hoisted in 1458.

The new standard of the people soon re-united white to the two former colors; this had been the choice of the national guard, still faithful to royalty and its emblems. It was, however, some months after the taking of the Bastille, that the tricolor cockade was definitely adopted. Bailly and Lafayette offered it to Louis XVI., in the grand municipal hall of the Hotel de Ville. The Convention supported this choice of colors, and consecrated it, even in the Assembly, by the following decree:—

"That the national flag shall be formed of three national

colors, arranged in three equal strips, in such a manner as that the blue shall be attached to the staff, the white in the centre, and the red floating in the air."

We see that the disposition adopted at the present day in the arrangement of the colors, is the only good one, the only historical one. The motion of M. de Caussidière, tending to overturn this order after February, far from being revolutionary, was in flagrant contradiction to the revolutionists of the Convention.

Several decrees, amongst others, the law of the 30th of June, 1791, on the Republican flag, and that of the 14th of October, 1791, on the flags of the National Guard, sanctioned still and at all times, according to the arrangement before described of the three colors of this flag. But what tells more for their glorification, are the innumerable victories and the three revolutions by which they are consecrated. A patriot would not ask for them under any other title. If the archæologist, indulging his love of ancient origins, does not feel satisfied, and demands more real antiquity, for a standard of a nation old as France, we would reply to him, that the tricolor flag was alone worthy to wave its pennons over the soil of centralised France, composed altogether of the parcellings and the ruins of ancient Gaul. Only, in effect, strange fatality! they re-unite on the ground of the banner the three colors adopted, nearly eighteen centuries back, by the three great Gallic nations: the blue of Celtic Gaul, the white of Belgic Gaul, and the red of Aquitania.

We will here subjoin some details relative to the *Oriflamme* and to *Scarfs*.

At first the Counts de Vexin, who, as head vassals to the Abbey of Saint Denis, had alone the right to take from the abbatial altar, and display at the head of the *Oriflamme*, the monk's banner. When Louis VI. had become Count de Vexin, he used the privilege which this title gave him over the Holy Standard, and made it the banner of the Kings of France. Every time that he appeared at the head of the armies, the *Oriflamme* was borne by them.

To finish all that has been stated in our quotation from the *Royaux Lignages* cited above, we will repeat with André Duchesne, that the *Oriflamme* was "a vermillion banner bespangled with golden lilies," and he adds that the banner, or rather the pennon of red silk, was terminated by three pend-

ants ornamented with green tassels without gold fringe, and that the shaft was of gilt wood or only whitened. However, the Oriflamme was renewed age after age, its form being each time modified.

In an ancient inventory of the treasures of Saint Denis drawn up in 1470, and which by the real fact of the description given in it, would serve to give the lie to those who pretend that this standard was taken at Agincourt in 1415, the old and abandoned Oriflamme is thus described:—"A standard of sandal-wood, very thick, split through the centre, enclosing a flag staff in a case of copper gilt, and having a rather long iron, pointed at the end."

When the king set out to join the army he went himself to receive on his knees the Oriflamme from the hands of the Abbé of Saint Denis, and then confided it to the care of one of his bravest barons. Sometimes, according to Galand, he carried it himself around his neck, without displaying it. On returning from the campaign, they carried back the sacred palladium to Saint Denis with the same pomp. We have read in a manuscript in the Bibliothèque Impériale, having for a title, *le Jardin des Nobles*, by Pierre le Gros, and bearing the No. 6853, the description of the ceremonial observed at Saint Denis on taking the Oriflamme.

We now come to speak of the *Scarfs*. These were at first a chivalric device. Those of the knights who were most valiant had the colors most esteemed by their ladies. Frequently the lady herself presented a scarf as a token to her knight; it then became a *gage*, and, according to a chivalric rule already in use amongst the Germans, as M. Dureau de la Malle relates, they kept it till some more fortunate champion had gained a victory over them in the tourney, or even until the enterprise prescribed by the lady to her knight was accomplished.

When the Orders of Chivalry were established, the Scarf, by its form and color, served as a distinctive emblem between themselves; as it was also a characteristic badge, both of the chiefs of the army and of the party. The Scarf was for them and for their soldiers what the cockade is for us. The Crusader's scarf was white, and they wore it cross-wise, as they continued to do up to the seventeenth century; it was this oblique position of the scarf that originated the term *prendre en écharpe*, applied to an oblique attack.

Between the war of the Armagnacs and the Orléanists, the Scarf of the former was red, and that of the latter a simple band of white linen. Some historians, and amongst others Paradin, thought that the custom of wearing white scarfs in the royal armies commenced with Charles VII. and is derived thence. Up to the reign of Henry II., the different corps were distinguished amongst themselves by the color of their regimental surtouts; but from that time it was the Scarf only that made the difference.

Besides the National Scarf which they began to attach to their standard or flag staff, each corps had also their own particular Uniform Scarf, the colors chosen always according to the fancy of the commanding officer.

During the party wars that followed this reign, the colors of the Scarfs were even more variable. Those of the Huguenots being red; that of the Leaguers black, in consequence of the death of Guise, but it was changed to green when the assassination of Henry III. permitted them to change this symbol into a symbol of hope.

During the Fronde, Mazarine's Scarf was green, that of the Condé was a light bay. Then, in place of saying as at present, *changer de cocarde*, they said *changer d'écharpe*, a saying still perpetuated by La Fontaine, and frequently used in the pamphlets of the time of Henri Quatre. It was not until 1692, after the battle of Steinkirk, that the Scarf having become a cravat was replaced by the cockade as the national device of the French army.

As *National Emblems* we find in France the *Cock*, which has, at least, the pretension of being *Gallic*, and the *Eagle* which can be no other than Roman in its origin.

The Cock forms no part in the gallic monuments, nor even on strange monuments bearing any reference to these people, neither have the authors who have written on the usages and husbandry of Gaul even mentioned it.

It has been found only amongst the barbarians who, on ravaging Gaul, renewed its population, its customs, and by that means imposed on them one of their devices. The only barbarians amongst whom the cock has been met with as an emblem, were the Goths, and we know that they were also the only ones who indulged themselves by a hasty invasion on the Gauls, without, however, being able to establish a long residence amongst them.

In the middle ages, the same absence of the national bird is observable. It does not even appear amongst these symbolic animals which adorned, encircled by a motto, the personal coats of arms of the French kings.

Philippe-Auguste had chosen *Lions*.

Louis VIII., *Wild Bours*.

Saint Louis, *Dragons*.

Philip the Hardy, *Eagles*.

Charles le Bel, *Leopards*.

King John, *Swans*.

Charles V., *Grey Hounds and Dolphins*.

Charles VII. and Charles VIII., *Winged Stags*.

Louis XII., *Sea Porcupine*.

Francis I., *Salamander*.

Nobody selected the Cock.

In the seventeenth century the Cock appeared on some medals. In 1665, le Quesnoy having been delivered, some medals were struck on which were to be seen the city at the bottom, and in the foreground the lion fleeing (this was the *Lion of Spain*), and a Cock in pursuit. This evidently represented France as the lion portrayed Spain. The French not having it amongst their national ensigns, determined to latinize the name, and discovering that *Gallus* signified at the same time *Gaulois* and *Cog*, they adopted the cock to represent the Gauls. One thing contributed to make them choose this allegory : this was the belief, as related by Pliny, that the cry of the cock made the lion flee; this notion caused them to place round their medals this legend : *Cantax, fugat*.

Hence the cock has been adopted as a device. In 1679, he re-appeared on another medal, surmounting a globe, on which was written *Luccia* : it was represented with spread wings with these words : *Gallus protector sub umbrâ alarum*.

On a medal relative to the junction of Prince Eugene and of Marlborough, which caused the scattering of the French army in 1706, may be seen France represented by a Cock seeking with avidity a bait by which it is immediately secured. Amongst the Dutch principally was this symbol spread, being represented in various medals and in different forms, the Batavian or Belgic Lion following the French cock. On one of the medals we have these words : *Nunc tu Galle jugie, dum leo Belga fremit*. On a medal of 1712, we see the Cock demanding

peace from the Batavian Lion and the English Leopard, and meeting a refusal. Finally, on a medal of 1760, it is the Imperial Eagle who tears the Gallic Cock and plucks its feathers.

"In fact," it is related in a curious article from which we have derived much information for this brief sketch, "the Cock assumed to be Gallic is formed of the French Revolution, as it is from that era alone its origin can be dated as a national emblem."

"In effect it originated in 1789, with the National Guard. Whilst they deliberated on the choice of an emblem they never dreamed that the Cock was Gallic, they only remembered that it was the Bird of the God Mars, and this was sufficient to induce them to adopt it; yet, during a long period of French history it was not employed. Its image is only associated with the noblest pages in the annals of republicanism. It came with the glory and disappeared before slavery; the faggot, égalité and the bonnet rouge of sad memory soon replaced it. In all the long roll of constitutions it was but seldom exhibited until the year 1792, and we believe that before 1793 it was almost entirely abandoned."

The Eagle has been symbolized in the armories of all great warriors of every nation, it had consequently the right of place in the armories of France.

In all researches, whether of mythology or of history, the Eagle is discoverable everywhere. He embraces each fabulous trait within the folds of his extensive wings, always sacred, always venerated, even dreaded, for he carried the thunderbolt. But it was specially as a protecting bird he appeared, protecting and saving being the noblest rights of power and strength. He saved Helen, when the knives of the priests were raised against her as their victim; he saved Valeria whom they placed before the altar for immolation. Thus, strong and immortal he was above all the enemy of death, the winged symbol of that existence of which he was the prototype.

To behold him hovering over a funeral pile, was a token of deification and immortality: he came to re-gather the souls of heroes whose glory should never die, or rather he was the type of the spirit who re-ascended with them to the bosom of the Gods. It was the ancient belief that the moment the pyre was lighted an eagle was set loose who discharged in his

flight torrents of flame and smoke, as the soul became released from the clouds of death. There could be no apotheosis or deification of which the eagle was not minister. To immortalize the type of the divine honors rendered to Julius Cæsar, they had engraven on rings, of which only one has been preserved, the figure of an eagle raising the thunderbolt, his eye fixed on a star, and bearing round his neck the name of Julius.

It is the eagle above all, which has been considered the bird of victory and of power. The Romans were not the first to conceive this idea. Long before it appeared on the summit of their standards he had been regarded as one who could pierce the clouds, looking fixedly at the sun, and hold the thunderbolt, meet emblem of sovereignty and of glory.

"In Egypt," writes a French author, "he was the symbol of the Nile, the river god, and on some monuments we recognize him in his soaring flight analogous to the *winged sphere*, another emblem of the power adored by the Egyptians. Among the Persians, Mithridates, wishing to re-appear under a visible form, took the figure of an eagle, and it was a similar type carved in gold, that Cyrus placed at the summit of his standards. Ezechiel caught a glimpse through the shadowing of his visions of the eagle, when he nominated the sovereign princes under the name of the victorious bird. But why then do we not see it likewise a symbol of deliverance for his nation, since with the eagle hovering over Babylon, liberty returned to the Jewish people, as more than twenty centuries later it revived for us under our imperial eagle, under the wings of whose beneficent protection we calmly repose."

The Romans had early adopted it. At first, they wreathed the sceptre of their kings with it; then, the kings being banished, they ornamented with it the sceptres of their heroic chiefs, and it was the only standard of their legions. Under the republic *The Roman Eagle* was composed of wood, then of silver with a golden thunderbolt in his claws. Cæsar the First wished to have it altogether gold, but he removed the thunderbolt on which the bird was perched. To mark his indefatigable activity and his unceasing aspirations towards new conquests, Cæsar had the Eagle always represented with spread wings. Each Legion had its golden eagle set on the point of the lance. They guarded it with the most religious veneration, they swore by it as by a divinity, and these oaths were held the most sacred. The warrior bird still maintained its char-

acter as patron, the guilty soldier about to be struck by the battle axe of the centurions, the enemy menaced with death, in order to be spared, came to place himself under the protection of the eagle, holding in his embraces the lance of the standard bearer. On days of triumph they exhibited the eagle with all the coquetry of victory; they covered it with laurel crowns and garlands of flowers. When a legion was encamped, they placed the eagle in the centre of that quarter, and if it happened that two legions were encamped together, they placed then on the borders of the two camps a double eagle with heads and wings reversed. This explains, without any manner of doubt, the double eagle which we see on the column of Antoninus, and which it would be well to guard against considering as the prototype of that more recently adopted by the first Byzantine Emperors as an emblem of their double empire of the East and of the West.

On days of defeat, the eagle was never permitted to fall into the hands of the enemy; when the standard-bearer saw the commencement of the rout, he broke his lance in two, and concealed in the ground the eagle and the fragment which it surmounted. It was thus it happened at the fatal combat of Trasimene, and we are indebted to a similar precaution of a standard-bearer for the only eagle of the legion which has been preserved. It was found in Germany, on the lands of the Count D'Erlach; it is of gilt bronze, thirteen inches high, and does not weigh less than twenty-pounds. During an attack of the Germans, the legion, which is believed to have been the twenty-second, having had to fly, the standard-bearer before escaping had doubtless concealed in the ground the eagle of which he had the charge.

Thus, the enemies of Rome, notwithstanding their victories, had not the gratification of parading the noblest insignia of their conquests. Varus, nevertheless, experienced the dishonor of beholding his legions destroyed and of losing his eagles. It is a tradition amongst the people of the north, that the troops of Arminius having conquered bore away two of them: the first, which was black, that is to say bronze, was given to the Germans, the other white, that is silver, was left to the Sarmatian auxiliaries; and it is added that the black eagle which figures in the arms of the empire, and the white eagle on the escutcheon of Poland, had no other origin. For our part we give no credit to this legend, and for many

reasons. It is true, however, that the empire which bears at the present day the double eagle on its coat of arms, had for a long period the single eagle. But, though unwilling to offend against tradition—this is not the eagle of Varus. It is a souvenir of the Roman Cæsars which the German Cæsars had taken. But they did not retain it long. Was it not the successors of Charlemagne, who, having taken it for their imperial standard, had a fragment of it borne every day to the throne of Paleologues of Constantinople, who labored to make the people believe by this double faced eagle that they still held the double crown of the East and of the West? Otho the Fourth caused it to be engraven on his regal seal, and in the fifteenth century Sigiamond, more daring, had it made altogether the ground of the escutcheon of the empire.

The Russians, who were a more formidable power, became jealous of this emblem, and the Czar Ivan the Third, who coming to espouse the daughter of Michael Paleologues, conceived he had a right in consequence of his alliance to assume the same standard, ordered a double eagle to be engraven on the coin, in all points equal to that of the German and Grecian Emperors. But instead of having the *wings ascending*, as the eagle of the Cæsars, it had the *wings lowered*. Ivan had no sooner been apprised of the difference existing between the Muscovite eagle and that of the Cæsars, than he caused the designers and engravers of the monies to be executed. The Russian eagle remained with the wings lowered, which, however, did not prevent its overtaking and even distancing the German eagle whose wings were spread.

We give, finally, the following legend for what it is worth, and we also give these predictions, which some even amongst our heraldists seem to conceive reasonable, owing to the position of the French Imperial eagle. It was, say they, *twisted*, that is to say, having the head leaning towards the left side, which is the symbol of *forfeiture*. Now, the eagle which surmounts the French flag carries his head to the right. The Psalmist has said of the Eagle that he is like the Phoenix, he has the gift of renewing his life, and, by a series of successive renovations, augments it in duration a hundred fold. This is, however, but a magnificent metaphor, and the King Prophet, in speaking thus, has undoubtedly wished to make nothing more than a beautiful allegory. We find in the fifteenth century a learned Italian, named Panciroli, who

They should always be applicable to the person as well as to the material object forming *the body*; nay more, it was necessary that the Device should not be selected from things little known, or too enigmatical, or too easy, or too humble, or, beyond all, too arrogant: "The soul of the device ought always be so modest that those who originated them might apply them to themselves; they should in fact be composed without deceit or wicked vanity."

The design of the Device should be always pleasing to the eye, and the conception fine; no human figure was admissible, lest the Device should approach too closely to the species of emblems. Furthermore, it was not complete, save when the body was unique, and the soul or word, expressed in a language different from the mother tongue of the bearer. Beside these rational conditions, there were other rules exacted for the brevity of the legend. Thus the device should never contain more than eight syllables. There were a few exceptions made in favor of some Latin, Italian, and French verses, "and it was always necessary that they were the most excellent." Some Devices composed in accordance with all the rules, deserve to be cited: that of Leo X., which we still see at the Vatican, a yoke with the word *Suave*, (the yoke of the Lord is sweet); that of Henri III., of France, and of Poland: two crowns on earth, a third in Heaven, with these words: *Manet ultima celo*; that also of Charles-Quint representing the Columns of Hercules, and bearing these words for a legend: *Nec plus ultra*.

The plaintive Device of Valentine de Milan remains also celebrated; we know that it is a *chanto-fleur*, (watering-pot), with these words: *Riens ne m'est plus, plus ne m'est riens*. The Device of the Lords of Bourbon: a sword, with this word, *Pontrabit*, was almost a presage of the high fortune of this house. The custom of Devices became almost extinct towards the end of the seventeenth century, when the tournaments ceased, but were revived under Louis XIII., and Louis XIV. during the brilliant carousals of the Place Royale and of the Tuileries.

It was in the last of these chivalric fêtes that Louis XIV. bore for the first time his famous device, formed of a sun darting its rays on the globe, with these words: *Nec pluribus impar*. The antiquarian, Douvrier, had composed it for him after an old Spanish device made for Philip II. Since that

time the use of Devices has become altogether exploded ; in the eighteenth century Voltaire scoffed at them as a fashion eclipsed : "The devices," said he, "are in relation to superscriptions, what masquerades are in comparison to august ceremonies." At the present day they are but little used ; the only ones to be found are dated from the past centuries, and they are perpetuated with the heraldry of ancient families. The elect are still typified in the symbols given as a reward for services, either civil or military, and are called Decorations. Of these we shall offer a few brief remarks.

Amongst the Athenians and afterwards amongst the Romans, a crown varying in form, according to the exploits of which it was the recompense, was the *decoration* most commonly assigned to brave conquerors on sea or land, and even to simple citizens remarkable for their courage. Amongst us the *decorations* were at first, merely national rewards, but very soon were used as distinctive marks of any honor or worth ; they were above all the peculiar symbols of certain orders of chivalry. Created always for a pious object, and most frequently in defence of the faith, these orders took for their natural ensign or symbolic decoration the Sign of the Redemption. Thus it was in the order of *la Sainte-Ampoule*, which is considered the most ancient, though they are wrong we think in tracing the foundation to the reign of Olovia ; the cross was previously the decoration of the four knights. A description of the military orders, printed at Paris in 1671, informs us that this cross of *Sainte-Ampoule*, whose trunk and branches were triangular, bearing four fleurs-de-lis in the angles and in the centre, with *Sainte-Ampoule* supported by one hand and crowned by the Holy Ghost,

The Knights of *Sainte-Lazare*, instituted in the twelfth century, bore the grand cross at eight points, on one side enamelled in amaranth, with the image of the Blessed Virgin, and on the other enamelled in green, with the image of Lazarus rising from the tomb. The decoration of the Knight Templars was a red patriarchal cross on a white dress ; that of the *Hospitalers of Jerusalem*, and later still of the *Knights of Rhodes and Malta*, was a white cross of eight points on a black ground ; the gold cross adopted still later, was but an ornament and not an ensign.

The order founded by St. Louis in 1234, under the strange title of the *Crosse de Genêt* represented by a *Genette*, had, as a distinctive mark, a collar composed of

stalks and broom pods, enamelled and intertwined with golden fleurs-de-lis, with the device: *Exaltat humiles*.

The decoration of the order of the Star, founded by King John, which became at a later period one of the privileges of the Patrole, was composed of a golden star with five rays, supported by a collar with three chains of gold, interlaced with golden roses enamelled alternately in white and red.

The Knights of the *Porcupine*, instituted by the Duke of Orleans, father of Louis XII., was distinguished by the ermine mantle and a chain of gold, from which was suspended a Porcupine of the same metal, with this motto: *Cominus et Eminus*. A collar composed of shells intertwined with a gold chain, to which was suspended a medal representing the Archangel St. Michael, was the decoration of the famous order of *Saint Michel* founded by Louis XI. That of Saint Esprit, instituted by Henri III., had for a decoration a cross of gold with eight points ornamented with golden fleurs-de-lis, with a dove on one side, and on the other the image of Saint Michael. The ribbon was celestial blue, watered. Another founded by Henri III. under the title of Charité Chrétienne, in favor of soldiers maimed in the service of the State, had for an ensign a mantle having embroidered on the left side a cross of gold, with these words: *Pour avoir fidèlement servi*. The order of *Sainte-Louis*, instituted by Louis XIV. in 1693, thus indicated: *Ludovicus Magnus instituit* 1693, written in letters of gold on the azure border of his cross, had for a motto these words: *Bellicæ virtutis præmium*, which plainly marked the purely military character of his institution. The cross of Saint Louis, which should be, according to an edict of the month of April, 1719, decreed to none but Catholic officers; and it was in order to repair this too exclusive ordonnance that Louis XV. founded, in favor of officers who were not Catholics, the special order of the *Mérite Militaire*. It had for a distinctive mark a gold cross with eight points suspended to a dark blue ribbon, and bearing on one side an unsheathed sword, with these words: *Pro virtute bellicâ*, and on the other a laurel crown, and the legend: *Ludovicus XV. instituit* 1739.

The order of the *Legion of Honor*, which replaced all the others, had at first for a decoration a star enamelled in white, with five double rays, a crown of oak and laurel, in the middle of which was, on one side, the effigy of

des Français ; and on the other side the eagle armed with the thunderbolt, and the device, *Honneur et Patrie*. At the period of the Restoration, the cross preserved the motto ; its form and attributes were alone modified. Thus they replaced the effigy of Henri IV. by that of Napoleon, and substituted the Imperial Eagle for the fleurs de lis, which were themselves replaced in 1830 by a silver ground ornamented with two tricolor banners. This cross, attached to a red-watered ribbon, was in silver for the knights and in gold for the other members. The officers wore it at their button-hole, with a rosette of ribbon ; the *commandeurs*, who were called *commandants* under the Empire, wore it as a collar with a little larger ribbon than the officers ; the *higher rank of officers* bore on the right side of their coats a plate in silver as large as seven centimetres, two millimetres ; as for the *grands croix*, (*grands cordons* under the Empire), their decoration consisted in a large red-watered ribbon placed saltier-wise (in the form of Saint Andrew's Cross), and supporting the cross, and a large silver plate of ten centimetres bearing four colors or banners at its angles, and attached to the left side of the dress.

Amongst the principal odd decorations, we will cite : in ENGLAND, that of the Order of the *Garter*, which consists, 1st., in a garter of dark blue velvet embroidered in gold, with the device : *Honi soit qui mal y pense*, and attached over the left knee with a little golden buckle ; 2nd, in a medallion of gold with the effigy of St. George, suspended by a large dark blue ribbon ; 3rd and lastly, in a silver star embroidered on the mantle on the left side of the breast. The order of the *Thistle*, which was at first peculiar to the Scotch, had for a device a golden medal representing on one side St. Andrew with the cross of his martyrdom, and on the other a thistle with this legend : *Nemo me impunè lacescit*.

The order of *Bath*, which comprises only thirty-six knights, is distinguished by a red-watered ribbon from which is suspended a medal with the following inscription : *Tres in uno*, in allusion to the three theological virtues ; this symbol was better represented by the three crowns which upheld the celestial blue scarf of the old knights.

In Russia, the order of *Saint Andrew*, which is obtained at the same time as the degree of Lieutenant-General, has for a decoration a gold cross bearing at its angles the four initials of this device :

Sanctus Andreas Patronus Russia; on the reverse may be read in Russian language: *For the faith and fidelity*.

The order of *Saint Catherine* was given but to ladies of the highest rank; the distinctive marks were, a plate with these words in the Russian language: *For the country*, and a cross bearing this inscription: *Æqual mœnia comparis*.

The order of *Saint Wladimir* had for an ensign a plate bearing this inscription round the shield: *Utilite, Honneur, Gloire*; and in the centre four Russian letters which signified *Saint Prince Wladimir semblable aux apôtres*.

In Austria, the order of the *Golden Fleece* was distinguished by a decoration surmounted by a stone in blue enamel, with these words; *Pretium laboris non vile*; and by these chivalrous words embroidered on the extreme edge of the mantle of the order: *Je l'ay empris*.

A gold cross bearing on its shield the initials of this device: *Sancto Stephano Regi Apostolico*, and the legend: *Publicum, Meritorium pretium*, is the distinctive mark of the order of *Saint Etienne*.

As to that of *Leopold*, he had for a legend, on the front of his cross: *Integritati et merito*, and this motto, which was that of Leopold I: *Opes regum corda subditorum*.

The order of the *Iron Crown*, had for a decoration a crown surmounted by a double eagle, and furthermore, for knights of the first class, a star with four rays embroidered on the left side of the dress, bearing in the centre the iron crown and the legend: *Avita et Aucta*.

In SPAIN, the order of *Charles III.* bore on the shield of his great cross the image of the Blessed Virgin, and on the cross of the simple knights, a C interlacing the cipher III., and this device: *Virtuti et merito*.

The knights of the first and second class of the order of *Saint Ferdinand* bore a cross with this legend around the shield: *El rey y la patria*, whilst those of the third class had this device, *Al merito militar*.

As to the military order of *Saint Herménégilde*, the honorary signs of which are the cross and plate, with this inscription around the shield: *Premio à la constancia militar*.

In PORTUGAL the Order of *Christ*, instituted as a continuation of the Templars, recalled in fact by its ensigns, the costume of the Knights Templar. Each member wore a long robe of white wool, and on the breast a red patriarchal cross, with another cross in silver.

The Order of the *Tower*, and that of the *Sword*, were distinguished by a cross and a medal, both bearing on their front the

bust of the reigning King, and on the reverse this inscription: *Valore e lealdade*, (valour and fidelity).

In PRUSSIA, the Order of the *Red Eagle* had for a device: *Sincere est Constantu*; and since 1814 they have substituted for the golden medal, its ancient decoration, a silver cross suspended to a white ribbon embroidered in orange.

The Order of the *Iron Cross* had for its principal attributes a silver cross and a ribbon, sometimes black embroidered in white, and sometimes white embroidered in black.

In the KINGDOM OF NAPLES, the Order of *Saint Ferdinand, and of merit*, bore on the escutcheon of the cross the inscription:—*Fidei et merito*; that of *Saint Georges de la Réunion* marked its great cross by this inscription: *In hoc signo vinces*. Finally, the Order of Francis I., of which a gold medal for the Commanders and a silver medal for the Knights were the distinctive emblems, had these words for a legend: *De rege optimo merito*.

In the STATES OF THE CHURCH the celebrated Order of the *Gold Spur* recalled by the cross of its Knights that of the Hospitallers of Jerusalem, the spur suspended between the two lower points, being the only distinction. The new Order of *Saint Gregory* had for a signal an octagonal cross enamelled in red; on the shield was the effigy of Gregory the Great, and on the reverse the following device: *Pro Deo et principe*, with this inscription: *Gregorius XVI., P. M., anno 1*; the ribbon is red and yellow.

In SWEDEN the Order of *Wasa* bore on the oval medallion, in which the decoration was set, the symbolical sheaf, (*Wasa* en Suédois), and this inscription: *Gustaf den tredie, instiktare, 1770*. The Order of *L'Etoile polaire* had for the motto of its decoration, these words: *Nescit occasum*.

The Order of the *Seraphim* had for an insignia, a cross suspended to a blue ribbon, and presenting on its surface the letters I. H. S. (*Jesus Hominum Salvator*), whilst on the reverse were the initials of these words: *Fridericus rex Suedæ*.

In DENMARK the knights of the Order of the *Elephant* or of *Holy Mary*, bore a collar composed of several elephants, interwoven with Towers, and to which is suspended a golden elephant enamelled in white, the back laden with a silver castle built of sand (noir), on a raised terrace enamelled with flowers, a mantle of velvet striped with white satin, bearing, embroidered in gold, on the left side, a cross encircled with rays, is the ceremonial dress. Finally, in BELGIUM, where we

have but the Order of *Leopold*, the decoration consists in a cross enamelled in white, of which a crown of laurel and of oak reunite the rays. The shield enamelled in black with a red border between two circles of gold, bearing on its face the cipher of the king, and on the back the coat-of-arms, with the device: *L'union fait la force*. A last word, apropos of a chivalric ensign, which played a prominent part in the middle ages. It is the *l'emprise*. By this word, which is nothing more than an abbreviation of *d'enterprise*, consecrated both in the Italian *impresa*, and the Spanish *empresas*, by which was designated in the middle ages, these adventures which the knights bound themselves by oaths to perform either in honor of, or to give pleasure to, their ladies. The valiant knight who undertook an *emprise* bore the *ensign* on his arms. This was a ring, a bracelet, a manacle, chains, or other symbols attached to the hands by their mistress herself. Of this they were not to be dispossessed, until after the lapse of one or several years, according to the conditions of the oath, and never without having accomplished the feat of arms which was the object of this chivalreus vow. If after bearing it for some time, the knight met some other valiant knight, who offered to *cross a lance* with him, and strip him of his *emprise*, that is to say, bear off the gage that he bore, this would be to him a serious disgrace.

We see in Monstrelet a squire of Aragon who having challenged some English Knights, and who carried on his right leg *un tronçon de grève*, never resigned this *emprise* till he was released from it by one of the knights. Sometimes several knights engaged to run the same venture and take the same *emprise*. We see in 1414, the Duke de Bourbon, and sixteen of his Lords, Knights, and Squires, made a vow to carry during two years, every Sunday on their left leg, a manacle in gold for the knights, and in silver for the squires, until they had found an equal number of valiant knights to combat. Whilst the knight bore the *emprise* he was inviolable and sacred. The squire who was devoted to his service was obliged to take an oath not to touch the *emprise*, *et soy agenomillant bien bas*. To take away the *emprise*, it was necessary the permission of the Lord of the Court where it had been found should be obtained.

VERSIFIED WORKS.—The mania of versification has been at times so great amongst some writers completely devoid of

imagination, that sooner than relinquish this style of writing they have even transformed prose works into verse, and were not content to versify literary works;* they versified works on history, law, theology, science, and of the monastic rules. Thus in the third century Richard D'Annebaut, an Anglo-Norman poet, versified the *Institutes of Justinian*, and Nicholas Dourbault published in 1280 *la Coutume de Normandie*, in metre of eight syllables. The Old and New Testaments have been versified very many times.

Much later a Spaniard versified the treatise *Adversus omnes hæreses* of the Archbishop of Compostello, Castro, who died in 1568. The celebrated Italian lawyer, Gennaro, who died in 1761, translated the Digest in Latin verse. Garnier Deschènes is author of *la Coutume de Paris* put into French verse 1768, in duodecimo, a work which passed through three editions. A lawyer, Flacon, published in Paris in 1805, *le Code civil, mis en vers*.

In retaliation, some writers of the latter Empire amused themselves by putting Æsop's fables into prose, Babrius having versified them. In the latter ages of latinity they did likewise with the fables of Phèdrus. We are not aware whether it was the same motives that inspired a Protestant minister, Ducommun, who had put into prose the fables of la Motte, in giving as a reason that all did not like verse, and that besides prose seemed better adapted than poetry to the simple and natural style of fables.

The technical works in verse are sufficiently numerous. Among the treatises on Grammar, that most known is *le Jardin des Racines grecques*, of Lancelot, preceded by this advice to the reader :

“ Toi qui cheries la docte Grèce
Où jadis fleurit la sagesse.

* * * * *

Entre en ce jardin non de fleurs
Qui n'ont que de vaines couleurs,

* The *Festin de Pierré*, of Moliere, has been put into verse by Th. Corneille; the *Précieuses Ridicules*, by Somaize. *Telemague* has been put into verse in almost all European languages. The following is a specimen of Pelletier's style, who towards the end of the last century rhymed the seventh book of this last work :—

“ Mais quel est ce Mentor ? Par sa simplicité
Sans peine on le croirait né dans l'obscurité :
Mais attentivement quand on le considère,
Il semble d'un mortel bien surpasser la sphère.”

Mais de *racines* nourrissantes
Qui rendent les âmes savantes."

The elegance of the versification of the *Jardin des Racines Grecques* has been at least equalled, if not surpassed, in *la Géométrie en vers techniques*, published in Paris, 1801, in octavo.

"L'Angle dont le sommet à la courbe se rend,
A moitié des degrés de l'arcque qu'il comprend ;
Lorsqu'il est au dehors, le cas devient complexe,
Du concave moitié moins moitié du convexe.
* * * *

Le triangle rectangle et son hypoténuse
Ont des propriétés que pas un ne récuse ;
La perpendiculaire allant à l'angle droit,
De nous le démontrer aura bientôt le droit."

We do not know if it was in the same work that this definition of parallels which we had formerly read appears :

"A l'abri de l'envie, en compagnes fidèles,
On voit marcher de front deux lignes parallèles."

If not found there, it certainly deserved to be there. Amongst the most recent works, we must not forget *la Géographie de la France, in technical verse, divided into Kingdoms, with notes written in the style of inscriptions*, by Balestrier. We regret not knowing this work, the poetry of which would afford strange specimens.

FECONDITY OF WRITERS.—There are some writers, according to Vigneul Marville, who have extreme difficulty in beginning, but when that point is once achieved, and the way open, they go on rapidly. The first lines of the history of M. de Thou cost him more trouble than all the rest, but that difficulty once surmounted he sped on with great rapidity. Others have great facility in writing, but take a long time to polish their works. In this category we may class Horace amongst the Romans, M. de Rabutin with ourselves ; such in fact are the greater number of prudent people, who, born writers, follow at first the impulse of nature, which subsequently requires both correction and finish. Others, in fine, but that is their misfortune, write in a hurried manner, and do not revise their works. M. de Saumaise was of this description : a dangerous character which uniformly suffers ; but which serves no point either as a model or example to any one. "Fabius Léonida, an Italian poet, dwelt a long time on his works ; and retouched

them more than ten times in order to give them the perfection he was desirous they should possess. Pierre Mafée, who has written so well in Latin, composed only fourteen or fifteen lines a day. Paulus Emilius Sanctorius, who had undertaken to write a Latin history of his time, was so long polishing what he did, that another would in less time have written a history of the whole world. M. de Vaugelas was thirty years engaged in the translation of Quintus Curtius, changing and correcting it unceasingly.* M. Hubert, of the Academy, author of the *Temple de la mort*, which is one of the most beautiful pieces of French poetry, changed and rechanged during three years the metre of this work, in order that it might attain the beauty, polish, and elegance which he ambitioned. It was not without much vigilance and very hard labor that Malherbe produced his divine poetry. M. de Balzac passed days and nights arranging his thoughts to attain that perspicuity of style and choice of words for which we admire him at the present day.

The manuscripts of Ariosto are full of erasures. This may be seen in the autograph manuscript preserved at Florence, the celebrated stanza in which he described a tempest, written in sixteen different ways.

Petrarch re-made one of his verses forty-six times.

The manuscripts of Tasso are illegible in consequence of all the corrections.

Pascal re-made as often as sixteen times one of his *Provinciales*.

Buffon re-copied eleven times the manuscript of the *Epoques de la nature*.

Bucquet, an erudite Frenchman of the eighteenth century, re-read fifty times, and copied himself fourteen times one of his works, *Sur la Justice*.

In the dedication of the first book of the *Silves*, addressed to Stella, the author dwelt with complacency on the rapidity with which he had composed these poems, "a rapidity," writes he, "which was not to me without pleasure; none had cost me more than two days; some even of the most imaginative but one day. I feared much that they would not carry with them the proofs

* Volture said to him on this subject, "you will never finish it, for whilst you are polishing one part, our language will undergo a change; you will then be obliged to do all the other parts over again." *Altera lingua subit* (application of the epigram of Martial on the laziness of a barber: *Altera barba subit*).

which I advanced. The lines on the colossal statue of Domitian, for which the Emperor had had the extreme condescension to solicit my muse, I had to deliver the next day, which was the inauguration. . . . The epithalamium which you have commanded, you know should be an affair of two days. Assuredly it is a great undertaking, seeing that there are in the piece two hundred and seventy-two hexameters."

Gaspar Barthius, a German savant, died in 1587, "was not more than sixteen years of age," said Baillet, "when he composed a treatise or a dissertation in form of a letter on the manner of reading with profit the authors of the Latin language, commencing from Ennius to the end of the Roman Empire, and continuing from the decline of the language up to the critics of these latter times who have re-established the ancient authors. It was a composition which the author assures us cost him but the labor of one day of four and twenty hours."*

Dumonin, a French author of the sixteenth century, took two months to translate in seven thousand Latin verses *la Semaine* of Dubartas.

The Italian Ferreri composed, in three days, a poem in Latin (*Lugdunense somnium*) of a thousand hexameter verses on Leo X.

L'Eloge de la folie was a labor of only seven days to Erasmus.

Chapman, an English poet, died 1634, translated in four months the twelve last books of the Iliad.

Guillard Danville, gendarme of the Queen, author of *la Chasteté*, a heroi-comical poem, (1624, in duodecimo), took care to apprise his readers that he commenced this work during an official voyage across Styria, and concluded it on repairing to Bavaria in France on the king's service. He boasted of having composed more than 900 verses in twelve days, without infringing in the least on his other avocations. This was not bad for a gendarme.

Voltaire, at the age of sixty-nine, in 1763, composed the tragedy of *Olympie*. "It was the work of six days," wrote he to one of his friends, whose opinion he wished to have on the merit of this piece. "The author should not have taken his rest on the seventh," replied his friend. "He would have repented of his work," replied Voltaire. Some time after, he returned the piece with several corrections.

* Baillet, *Vies des enfants celebres*, p 296.

Mary Darby, a celebrated English actress, who died in 1800, composed in twelve hours, a poem, comprising three hundred and fifty verses. It is but just to say that the greater number of these works written thus hurriedly, lived but as short a time as was taken to compose them.

Two theologians of the fourth century, Didymus and Theodorus, have left, the former six thousand, the latter ten thousand volumes, or we had better say, one six thousand, and the other ten thousand treatises.

The works of Alfred the Great (died 1280,) published in 1654, formed twenty-one volumes in folio. The *Speculum Majus*, of Vincent de Beauvais, were composed in ten volumes in folio.

The Chronicle of Horneck, a German historian of the thirteenth century, contained eighty-three thousand verses. The style of this Chronicler was equally good as that of Hennin, author of a poem in a hundred songs. Soyouthi, an Arabic author of the fifteenth century, has left more than sixty works on all subjects. The celebrated *Meistersänger* Hans-Sachse, who died in 1576, has left between all his writings, 26 comedies, and 27 tragedies sacred, and 52 comedies, and 28 tragedies profane; 64 farces of the Carnival; 59 fables; 116 allegorical tales; 197 comic tales, and 307 poems, sacred and profane. He had besides translated and put into verse several portions of the Bible.

Macedo, a Portuguese Franciscan of the seventeenth century, is author of 53 panegyrics, 60 discourses, 32 prayers, 123 elegies, 115 epitaphs, 212 dedicatory epistles, 700 letters, 2,600 epic poems, 500 elegies, 110 odes, 3,000 epigrams, 4 latin comedies, 2 tragedies, and one satire in Spanish.

Alexander Hardy was the most prolific author that ever labored in France for the theatre. He composed 600 pieces. This was nothing, however, in comparason to the 1,800 pieces in verse by Lopez de Vega, who, besides, composed 21 volumes in quarto, of poetry, and several minor copies of verses.

Pryme, an English lawyer and scholar of the seventeenth century, has left more than 200 works, forming 40 volumes in folio and in quarto.

We have preserved at the Bodlyan library, at Oxford, 122 volumes in folio, writings from the hand of Dodsworth, an English Antiquarian of the seventeenth century.

The German Moser, a compiler of the last century, has left 480 works, 17 of which are still unpublished, 16 are disputed; these would form in all a total of 700 volumes, whereof there are 71 in folio, without including 84 volumes of re-prints, or new editions of his works, nor 4 volumes of which he was only editor, nor 24 dissertations or articles which he had furnished for three periodical compilations, nor 26 numbers of weekly notices of literary news from Suabia.

Another German, Krunitz, who died in 1796, composed by himself an encyclopedia which, at the period of his death, formed 72 huge volumes in octavo.

The author of *Manon Lescaut*, the Abbé Prevost, wrote more than 170 volumes.

The principal works of Restif de la Bretonne formed 146 volumes in duodecimo.

The Journalist, Fréron, is author of 250 volumes. They attribute to Figueiredo, a Portuguese savant of the eighteenth century, 169 works, 68 of which have been printed; to Madame Le-prince Beaumont, who died at the age of seventy, 70 volumes; to Ducray-Dumesnil, 95; to a German romance writer, Lafontaine, descendant of the French refugees, 75 romances in 210 volumes.

The catalogue of the works of Gail make 500 pages in quarto.

The manuscripts of the learned botanist, Adanson, on Natural History, were composed of 120 volumes, and of 75,000 representations.

Dingé, a French writer, rather unknown, (died in 1832) has left autograph manuscripts which weigh 400 kilogrammes.

The Chinese authors have not been, as far as we can perceive, less prolific than ours. In the last century, the Emperor Kiang-Loung, wished to make choice of some of the chefs-d'œuvres of Chinese literature; this selection could not contain fewer than 180,000 volumes. In this collection are noted three works written by Europeans.

LE JOURNAL DE SAVANTS.—The weekly sheet, founded in 1665, by M. de Sallo, minister in the Parliament of Paris, under the title of *Journal des Savants*, deserves particular attention, as having been the first model of literary Periodical Reviews. M. de Sallo, to preserve the liberty of his opinions, concealed himself under the signature of Hédouville. Entrenched behind this

nom-de-plume he hurled his judgments on the men most remarkable for their writings at that period; and, according to a custom which can be traced sufficiently high, he did not spare the modesty of his collaborateurs, as we may perceive by the extravagant praises he lavishes on M. Chapelain, one of his co-partners in the compilation of the Journal. Notwithstanding the reserve and gravity of M. de Sallo, he was not able to guard himself from occasional ebullitions of satire, as has been thus expressed by La Fontaine :—

'Tout faiseur de journal doit tribut au malin.

But the republic of letters, little accustomed at the time to this supremacy in journalism, rebelled against this new species of censorship, which, springing from private authority, set itself up as a supreme arbiter of the sciences of literature and of the arts. Against this modern Proustes, who in his paper commenced the occupation, since brought to perfection, of mangling, mutilating and disfiguring all those who had had the misfortune of displeasing him, Charles Patin, on whom they had made a very lively attack, the author of *l'Introduction à l'histoire par les médailles*, and several others whose self love had been wounded, coalesced to extinguish the journal guilty of hurting their literary vanity.

They found this a difficult matter to accomplish, as Guy Patin has thus written :—"M. de Colbert took under his protection the authors of this journal; and if my son had defended himself they say he would have been sent to the Bastille : it was consequently better not to write."

But on the occasion of some books having been condemned by the court of Rome, there escaped from M. de Sallo some sallies contrary to the edict of the inquisitors, and in favour of the liberties of the Gallican Church. Some, to whom this innovation of journalism was not agreeable, and who detested M. de Sallo and his friends in their capacity of a parliamentary faction and of Gallicans suspected of Jansenism, used their influence with the Pope's Nuncio, and obtained an order for the suspension of the journal. Chapelain, well known for the wariness of his disposition, and with which Balzac had reproached him, and who was much more reserved towards the powers than Balzac, had as we know the best income of all the Beaux Esprits, wrote on this subject in a letter of 1665 :—

“The complaints of Rome on the liberty of our *Journal des Savants* has caused the suspension of its publication.—M. de Sallo, who is its founder, would sooner abandon altogether his charge than submit to the scrutiny of a censor. The English, in imitation of us, have commenced one in their language. They are learned, rare and free, and much that is good may be expected; besides, not being obliged to observe the same rules as we are, we may indulge a hope that it will be more lasting and not less bold than ours has been.”

When the publication of the *Journal des Savants* was resumed in 1674 the direction of it was confided to the Abbé Gallois. This Abbe was a partisan of the new philosophy then very strongly attacked by zealous disciples of the old. These latter presented a petition to the Parliament of Paris, in which they moved that the Professors of the University should be obliged by a decree to teach nothing but what was conformable to the doctrine of Aristotle; on the other side it was said, ironically, if these strange regulations were not adopted it was necessary to return thanks on the part of the burlesque decree of Boileau, and on that of the polemic ingenuity sustained by the *Journals des Savants*.

The Journal was afterwards directed by M. de la Boque; then by the President Cousin, who re-united with the functions of the journalist that of censor; then in fine, and in the following century, by a succession of savants, amongst whom we distinguish Fontenelle, Vertot, Saurin, Terrasson, Trublet, Desfontaines, Burette, Duresnel, Moncrif, de Guignes, Clairant, Dupuy, Delalande, and others.*

* The old *Journal des Savants* made, up to 1792, eleven hundred volumes in quarto. This Journal had been resumed in September, 1816, under the direction of M. Dannon, afterwards under that of M. Lebrun, and continues up to this day at the rate of one volume, in quarto, annually.

ART. II.—BALDWIN, FIRST FRENCH EMPEROR
OF CONSTANTINOPLE.

Baudoin IX. Comte de Flandre, premier empereur Romain de Constantinople. Drame historique en cinq Actes, precede de considerations historiques, politiques, et litteraires d'une interessante actualite. Par Julien le Rousseau. Paris, 1856.

The late Turkish war brought forward new objects of interest to recreate the European mind. French and English soldiers stood side by side, mirabile dictu! on a soil where western warriors had not trod in arms since the Crusades. New books of travel, and new sketches replaced the hack-nied scenes of France, Italy, the Rhine. Ottoman and Byzantine historians led the reader into paths less trite than those of the Occidental nations: names, that though historic, were unfamiliar, came into notice, or returned to memory: there were fresh themes for poets, and might have been for dramatists, if the drama still maintained the position that once it held: there were, indeed, two or three attempts to find subjects for the stage, amid all this novelty, but the attempts were not successful. Of one of them, however, we would write, because the choice of the subject was well made, but badly wrought out; exactly reversing the old saying, "*materiem superabit opus.*" A Frenchman, rejoicing in the cognomen of Le Rousseau (what might be his affinity with Jean Jacques we know not) was struck with the fact of Baldwin of Flanders and Hainault, a liege man of the king of France, the Suzerain of his territory, having been raised to the Imperial throne of Constantinople by French arms and French influence; and having founded a dynasty, (short-lived enough, be it owned) of French emperors. There was interest in this to Gallic ears: after the lapse of centuries there was another French army in Constantinople: what *had* been might be again: at all events it was *pour la gloire de la belle France* to recall that event; and Le Rousseau accordingly indited a Tragedy entitled, "Baldwin The IX, Count of Flanders, first Roman Emperor of Constantinople." A true tragic poet could find situations of deep pathos and strong emotion in the strange story of Baldwin and his family; a story which is replete with Terror and Pity, these legitimate elements of Tragedy, according to the ancient canon of criticism. Among all the passages of mediæval history that have perplexed alike both cotemporaries and posterity, there are none more dark, more fearful,

more mysterious, than those connected with Baldwin and his children. That the reader may form his own estimate of the means afforded by them for the construction of an effective tragedy, we will enter upon a succinct narrative of circumstances, many of which lie removed from the high road, and beaten tracks of every-day readings.

Baldwin the Ninth Count of Flanders of that name, was the son of Baldwin, surnamed the Courageous, Count of Hainault, and of Margaret, Countess of Flanders. He was early trained to arms by his father, whom he accompanied at the age of thirteen in a successful campaign against Jacques D'Avènes,* a noble of Hainault, from whom they conquered Condé. The son of d'Avènes was afterwards closely and unhappily connected with the family of the Count of Flanders. At seventeen, Baldwin distinguished himself at the battle of Neuville, by which victory he recovered some disputed territories from his father's uncle, the then Count of Namur. He was still but a stripling when he received the honor of knighthood from the royal hands of Philip Augustus of France.

On the death of his mother, in 1194, he succeeded to her dominions as Baldwin IX. of Flanders; and in the following year he succeeded his father as Baldwin VI. of Hainault. On his accession he did homage at Metz to the Emperor of Germany, Henry VI. for the fiefs he possessed under the empire, and afterwards rendered fealty for Flanders to Philip Augustus, who was his brother-in-law, as well as his Suzerain, having been married to Isabella of Hainault, Baldwin's sister, (who had died in 1190). Baldwin, however, soon made war upon Philip, to recover Artois, which had been detached from Flanders, as a marriage portion for Isabella, contrary (as Baldwin asserted) to the constitution of his states. The Count was victorious, and his success against so great a monarch as Philip Augustus, together with the wisdom he evinced in politics, and the renown of his valour in boyhood, won for him that high consideration which eventuated in his elevation to the Imperial dignity.

Pope Innocent III. anxious to recover Jerusalem, which had again fallen into the hands of the Infidels, commissioned

* The fortified town of Avènes, or Avesnes, on the river Hephre in Hainault, gave the title of Count.

Foulque, Curé of Neuilly-en-Buë to preach a new Crusade. A brilliant tournament was held in 1199, at Ecry-sur-Aisne, in Champagne; thither Foulque repaired, and preached to the noble assembly with so much unction, that knights, princes, all were moved even to tears, and assumed the Cross. Among them were Baldwin, Henry of Hainault, Count of Saorbruck, Boniface, Marquis of Montferrat, Louis, Count of Blois, Hugh, Count de St. Pol, the Count of Champagne, and Simon de Montfort, too well remembered (or too evil) in the history of the Albigenes. The Marquis of Montferrat was nominated leader of the expedition. But the influence of Baldwin was, on all occasions, predominant.

The Count of Flanders was married to Mary of Champagne, and had two daughters, Jane and Margaret. When about to leave home for the East, he committed the care of his dominions, and the guardianship of his children, then very young, to his brother, Philip, Count of Namur, conjointly with Bouchard d'Avènes, the son of that Jaques d'Avènes upon whom Baldwin VIII. had formerly made war (as before mentioned). Bouchard had left his own country, and fixed his residence at the court of Baldwin IX. with whom he became an especial favorite, from his great abilities, and his pleasing manners. Little did the unfortunate Bouchard foresee the miseries that would be heaped upon him by those two young girls, the children of his friend. Their mother, carried away by the vehement eloquence of Foulque de Neuilly, had resolved upon a pilgrimage to Jerusalem; but she did not set out with her husband; she waited for a fleet commanded by John de Nésle, which was to sail from one of the Flemish ports.

The rendezvous of the soldiers of the Cross, of the different nations, was at Venice, where they were to be provided with shipping and provisions on payment of 85,000 marks of silver. But the Crusaders, on their arrival, found that all the money they could possibly raise, was much below the amount required. After much bargaining with the Venetians, the latter proposed that to make amends for the sum deficient, the Crusaders, before proceeding to Palestine, should assault and recover for Venice, the City of Zara, in Illyria, which had revolted to the Hungarians. Several of the Crusader-chiefs refused to turn aside from their original mission to fight in an inferior cause, and they quitted Venice, to continue their route to the Holy Land. But Baldwin, fearing that without the aid

of the Venetians the whole expedition would fail, agreed to the proposal, and influenced many of his brother-leaders.

The Doge of Venice at that time was the aged and heroic man celebrated by Lord Byron in the eighth Canto of *Childe Harold*—

“Oh for one hour of blind old Dandolo!”

Henry Dandolo was then beyond 90 years old, and was nearly blind, scarcely distinguishing more than light from darkness, in consequence of the cruelty of Emanuel Comnenus, former Emperor of Constantinople, to whom he had been sent ambassador from Venice 50 years before, and who had caused a sheet of hot copper to be applied to his eyes, in revenge for Dandolo's firmness in defending the interests of his country. Dandolo, notwithstanding his defective sight, and his extreme age, still preserved wonderful strength of mind and body; he, too, assumed the cross, deputed his son to act as Doge in his absence, and accompanied the Expedition, which sailed from Venice in October 1202; and arriving at Zara, besieged and took the place, where the Chiefs resolved to winter.

At Zara they were visited by Envoys, whose embassy caused another departure from the first plan of the Crusades. The Greek Emperor Isaac Angelus, of the Imperial House of Comnenus, had been dethroned, imprisoned, and deprived of sight by an ungrateful brother named Alexius, to whom he had given many proofs of affection. The unhappy Isaac had a son, also named Alexius, who escaping from the power of his unnatural uncle, exerted himself to seek aid for his father. He sent letters to the confederates at Zara, entreating them to hasten to Constantinople in order to restore Isaac to his throne; and promising, in recompense, to give a sum of 200,000 marks among the knights and soldiers; to assist them with a Greek Army in conquering Egypt, a country they much wished to acquire; and, to establish the Roman Church, and the Pope's supremacy in the Eastern Empire. Notwithstanding these tempting offers, some of the leaders protested against a second postponement of their design: but they were over-ruled by Baldwin, who was desirous of procuring for France (whose troops he led) the advantage of a close connexion with Constantinople, the key of the East. Montferrat and Dandolo acceded to Baldwin's wishes; and early in 1203 the French and Venetians sailed with 500 ships to Corfu, where they were joined by Prince Alexius, and, in the month of May, they proceeded to Constantinople with an army of about 20,000 men.

The city was in a state of confusion, full of factions, religious and political ; and the people were utterly degraded and corrupt, and feared while they hated the cruel and despotic usurper. They were dismayed by the appearance of the brave and hardy warriors of the West, whom they called "men of bronze," and "exterminating angels," and firmly believed that each one was able to tear up a full grown oak by the roots. The fervent exhortations, however, of a few intrepid spirits, availed to shame, or stimulate, the Greeks into some show of resistance to the foreigners.

The siege commenced on the 1st of July, 1203. Baldwin led the van with the French, crossed the Bosphorus, and attacked the city from Galata : the panic stricken Greeks soon fled and the French standard was planted by two brothers of a noble and historic house, Antoine and Quesnes de Bethune; the latter was a wise statesman, a brave soldier, one of the best of the then French poets, and direct ancestor of the renowned Sully, minister of Henry IV. of France. The Venetian fleet forced its way into the harbour ; "blind old Dandolo" standing on the prow of his vessel in full armour, holding his drawn sword, insisted upon going on shore. A kind of drawbridge was contrived, to pass from the yards of the ship to the walls of the city, and along this the valiant old man groped his way, and entered a victor into Constantinople, where, half a century before, he had been treated with so much inhumanity. Numbers crowded after him; they planted the great standard of St. Mark, and took twenty-five of the one hundred and ten towers that ought to have vigorously opposed them. The terrified Greeks revolted against the usurper, who made his escape in a boat ; Isaac Angelus was restored, and his son associated with him in the Empire as Alexius IV.

The latter was anxious to fulfil his promises to his allies, but the treasury was empty, and though he melted and coined all the church plate, the money produced was much below the sum promised ; and the Crusaders encamped without the walls till they should receive full payment. The Greeks abhorred the strangers ; frequent brawls ensued, in one of which the city was fired, and a large part of it consumed. Alexius became an object of hatred to his own subjects for having introduced the foreigners, and especially for endeavouring to subvert the Greek Church, and establish that of Rome. Meantime the unhappy Alexius was treated by his

allies with great indignity, on account of his involuntary breach of contract, and he was often compelled to attend their carousals clad, as in mockery, in his imperial robes, but with his crown replaced by the tarry woollen cap of a Venetian sailor, and in this guise he was expected to endure patiently rude taunts and practical jokes.

He had a relative, who was his confidant and his chamberlain, named Alexius Ducas, and surnamed Murzuffle, a man with enormous shaggy eye-brows, and a fierce countenance; this traitor seeing that his master was hated by the Greeks, and scorned by the foreigners, thought to take advantage of the circumstances to elevate himself upon the young Emperor's ruin: he seized and strangled him; the old and infirm Isaac died of grief, and Murzuffle reigned as Alexius V.

But the Crusaders, determined to avenge their protege and invested Constantinople, which now made a much more obstinate defence than before. But after a siege of three months it was taken by storm, and exposed to horrors too dreadful for detail. The terrible carnage was at length checked, though with great difficulty, by Montferrat and Baldwin: but rapine and violence still rioted in every quarter, till exhausted by excess; a great part of the city was burned; and noble libraries and beautiful works of art were destroyed—and in the midst of groans, shrieks, flames, ruins, and seas of blood, the French officers and the Greek ladies (all of whom must have lost some friend or near relative), assembled and danced together in the great church of St. Sophia;—has this revolting instance of levity a parallel? *we* cannot remember one.

Murzuffle had escaped in the first confusion, but was taken, and put to death by being flung headlong from a pillar 147 feet high. The Latin princes then decided that the Byzantine sceptre had been so disgraced by the many atrocities of its Greek possessors (a series of the most weak and wicked monarchs, with *very few* exceptions, ever known) that it was expedient to transfer it to other than native hands, and to choose a foreign Emperor. Twelve electors were nominated, six French and six Venetian. Their votes were given for Dandolo; but he declined the imperial dignity, as inconsistent with the duty he owed to his country, a Republic, whose chief magistrate he was. The electors, then, in consideration of the valor, wisdom, and many virtues of the Count of Flanders and Hainault, unanimously elevated him to the vacant throne

as Baldwin I., on the 16th of May, 1204 ; and he was crowned in the Church of St. Sophia by Thomas Morosini, the newly created Venetian Patriarch of Constantinople, a Prelate of the Church of Rome.

But the Crusaders, instead of establishing a firm and powerful state, to resist aggressions on the peace of Europe from the North and from the East, committed the error of dismembering the Greek Empire, and of thus rendering its sovereign not only useless as an ally to the Western Powers, but even a burden to them when their policy required he should be supported against an enemy. The confederates assigned to Baldwin the city of Constantinople, and one-third of the Empire, dividing among themselves the remaining share ; the most valuable portions of which were afterwards acquired for Venice by the address of Dandolo.

The Emperor Baldwin, with power thus circumscribed at his outset, was unable, notwithstanding his abilities and courage, to reform the inveterate abuses among the natives of his dominions, or to defend his throne against external enemies. The exiled Princes of the Imperial Houses of Comnenus established principalities for themselves in Asia Minor, and wars, of course, his mortal foes. Great disorders reigned in Constantinople ; the Latins were insolent and exacting ; the Greeks were discontented and turbulent, incensed at their subjection to an alien Prince, and their enforced union with the Church of Rome : thus the new Emperor's prospects were but gloomy.

A few months after Baldwin's coronation, he was visited by a domestic bereavement. His wife, who was destined never to share her husband's throne, had embarked for Palestine in the fleet of John de Nêse : the voyage was long and stormy, and she suffered so much from terror, sea-sickness, and hardships, that soon after landing at St. Jean d'Acre, she expired of exhaustion, on the 24th of August, 1204 ; leaving her daughters motherless at an age when they most needed maternal care ; if they had been blest with that care, training them in womanly feeling and filial piety, the dark stains that sully the memories of Jane and Margaret of Flanders, would, in all probability, never have existed.

At this period the Bulgarians were a nation as powerful as courage and energy could make them. Their sovereign, Joannice, had revolted from Isaac Angelus, and established

a kingdom. He was a member of the Roman communion, and, corresponded with Pope Innocent the Third, became desirous to form relations with the Latin Prince established at Constantinople, as being of his own creed. But his overtures were unwisely checked by a haughty intimation of Baldwin's ministers, that he (Joannice) must commence by doing homage to the new emperor, as a vassal of the empire from which the Bulgarian kingdom had been dismembered. The pride of Joannice was wounded, and he at once entered into correspondence with the disaffected Greeks. An extensive conspiracy against Baldwin sprang up, not only on the European, but also upon the Asiatic side of the Bosphorus. Henry of Hainault, Baldwin's brother, was sent with the flower of the army into Asia Minor, to meet the conspirators. Immediately on his quitting Europe, the Greeks of Thrace (now Romania) rose in arms, and massacred most of the French and Venetians in that country; and Joannice seized the opportunity of the panic among the foreigners to cross the Hæmus mountains (the Balkan) with an immense force.

Baldwin saw the necessity of making head at once against the Bulgarians, though his means were inadequate to the emergency. He marched towards Adrianople, but with too small an army, for the best part of his forces had accompanied his brother. He (Baldwin) was met at a place called the Plains of Orestes by overwhelming hordes of Bulgarians; and his few troops were surrounded and cut to pieces, April 15, 1205. With this defeat the mysterious and tragical circumstances of Baldwin's story commence.

At first the Emperor was supposed to have been killed; but his body not being found, and enquiries being instituted, it was ascertained that he had been taken prisoner, and conveyed by the order of Joannice to a castle which some call Cernoia, and others Ternobia, and was kept there in a rigorous confinement. In the following year Pope Innocent wrote to Joannice, entreating the release of his illustrious captive: but the Bulgarian curtly replied, that he could not grant the request, "as Baldwin had paid the debt of nature;" but he said nothing whatever of the time, place, or manner of the alleged death; and this circumstance, combined with others, confirmed many persons in the belief that the Emperor was still alive, but in a secret dungeon. A prevalent rumour affirmed, that the Queen of Bulgaria had become enamored of

Baldwin's handsome person and noble bearing, and had offered him liberty on the condition that he should murder Joannice, and marry her. But Baldwin's generous nature revolted from this proposal, and the Queen, in all "the fury of a woman scorned," had accused him to her husband as the author of the wicked scheme; and at her instigation Joannice had (as some said) put his victim to death by tortures which he scrupled to avow to Pope Innocent; or, as was more generally believed, had by a refinement of cruelty spared his prisoner's life in order to render it a burden by sufferings; and had astutely asserted him to be dead, to retain him the more securely in his power. But we must leave Baldwin for a while, and return to Constantinople.

On the Emperor's disappearance his brother Henry was called to the tottering throne. He was a wise and courageous Prince, but was much harassed by the turbulent Greeks; and died in 1217, with strong evidences of having been poisoned. Peter de Courtenaye,* who had married Yolande, Baldwin's sister, succeeded. In an expedition against Thessalonica he was invited to a banquet, under pretext of treating for peace, by Theodore Angelus, Prince of Epirus, and was never heard of more. His son and successor, Robert, died from grief and anxiety. He was succeeded by his brother, Baldwin II., who was dethroned and expelled by Michael Palæologus, of an old Byzantine family. These Emperors were all victims of the false policy of dismembering the Empire; all succumbed to their difficulties; surrounded by enemies, crippled at home, and ill supported abroad. Thus France lost an advantageous position in the East. After a period of 57 years the French-Flemish dynasty, which began with a Baldwin, ended with a Baldwin. The native Greek princes returned to reign as badly as ever, till the last Palæologus yielded to the then martial and vigorous Turks in 1453, and the Byzantine Empire, which had commenced with Constantine the Great, terminated with Constantine Palæologus Dracoses.

We must now revert to the family which Baldwin I. had left in Flanders.

On the report of this Emperor's death, Philip Augustus of France required that the eldest daughter, Jane, should be sent to Paris to be educated under his auspices, both as a

* Marquis de Namur, and Count of Nevers, Auxerre, and Tonnerre.

vassal of France, and as the niece of his first wife, Isabella. The younger daughter, Margaret, remained in Flanders, under the guardianship of Bouchard d'Avènes.

When Jane was of an age to marry, Philip Augustus espoused her, in 1211, without consulting her inclinations, to Fernando, second son of Sancho I. of Portugal, who, ruling over Flanders and Hainault in right of his wife, is called by French and English historians, Ferrand, Count of Flanders. Philip, to repay himself for his care of the young heiress, took possession of part of her territories; an encroachment which her husband resented on the first opportunity. Otho, Emperor of Germany, being at war with King Philip, raised against the latter a formidable confederation of jealous princes and discontented vassals. Ferrand joined the League, and brought a large body of Flemings to fight for Otho at the great battle of Bouvines,* (27th July, 1214) where Otho and his allies were signally defeated, and Ferrand (with many other persons of distinction) was taken prisoner by Philip, and kept in close confinement. The ill-starred Portuguese would, however, have been liberated on terms, if his wife would have agreed to ransom him. But Jane was ambitious, selfish, and unfeeling, and of morals far from correct: she determined to rule her inheritance by her own sole will; and rejoicing to be freed from her husband's interference with her sway, and his surveillance over her conduct, she peremptorily refused to pay his ransom, and left him to languish for many years in a painful captivity. Her government was so tyrannical and oppressive that she was detested by the Flemings, who deeply lamented the loss of their revered Count, her father.

In the month of April, 1225, just twenty years after the defeat of Baldwin in the battle near Adrianople, a remarkable looking old man appeared in Flanders, grave and majestic in his air, and seemingly more worn by grief and hardships than even by age. He was clad in an Armenian robe of scarlet; he leaned upon a large staff, and his snowy beard hung down to his girdle. He declared himself to be Baldwin, Count of Flanders, Emperor of Constantinople, who having been falsely reputed dead, had at length found means to escape from his Bulgarian prison, and had come to claim the love and loyalty of his natural subjects. The Flemings flocked round him with alacrity, and all who remembered their lost Count affirmed

* A village of Flanders, near Tournay.

that the stranger resembled him so exactly in voice, features, and manner, that they were fully convinced of his identity with their long regretted Baldwin. The nobles put to him many searching questions, and his answers displayed an intimate acquaintance with the history of the country, and with the pedigree, heraldry, &c., of every high family in Flanders and Hainault. The aristocracy, the citizens, the populace all avowed their full persuasion of his truth, and paid him the homage due to their hereditary Count.

But the Countess Jane repudiated his pretensions with passionate indignation, denouncing him as a shameless impostor. He requested to see her, declaring that he would be able, in a personal interview, to convince her of his being her father. Yet she positively refused ever to admit him into her presence; a circumstance which was interpreted to her disadvantage. It was argued, that if her heart owned one touch of nature, she would have been anxious to look upon one who so closely resembled the parent that she had not seen since her childhood, or if she had any sense of justice, she would have permitted the man whom she stigmatized an opportunity of justifying himself (if he *could* do so) but it seemed as though she *feared* to see him, lest she might be in danger of conviction, contrary to her stubborn resolution of holding fast the dominion which could not be hers if her father was still living. It was her *interest* to prejudice and condemn the stranger; it was said that she, who was cruel to a husband for the sake of power, could also be unnatural to a parent. But her councillors, for the sake of some pretence of justice, advised her to permit them to investigate the case, and they accordingly invited the stranger to appear before them.

He came, dignified, calm, and collected, though they interrogated him in a harsh and menacing manner, on the particulars of his alleged escape, and on his reasons for re-appearing in Flanders, rather than in the Greek capital. He rebuked them for their discourtesies, and proceeded to relate that he had been imprisoned for many years, in a close and secret dungeon, by the Bulgarian King; but at length, his guards relaxing their vigilance, he found means to elude them. But while making his way through the country, he was unfortunately taken by a band of marauders, who did not suspect him to be more than an ordinary person. He was brought by them into Syria, sold as a slave, and employed in the most irksome toils.

During a truce between the Christians and the Saracens, some German merchants were travelling in Syria, and halted to refresh themselves near the place where he was at work. Hearing them converse in German, he approached, and accosting them in the same language, related to them his misfortunes. Touched with compassion they purchased him from his master (who was ignorant of his rank); they brought him to Europe, and he hastened at once to his native land. To have gone to Constantinople would (he said) have been injurious to his interests. His brother Henry, and his brother-in-law, Peter de Courtenay, were both dead, and their successor would not readily acknowledge claims that would take the sceptre from his hand. Besides, a journey to Constantinople would be replete with danger from the enmity of the Greeks. He preferred, therefore, repairing to Flanders, and appealing to the fidelity of his native subjects, and the filial instincts of his child.

The stranger was still speaking with energy, when the Grand Treasurer, as though dreading the effect of his words upon the hearers, abruptly dissolved the council, affirming that it was not lawful to debate or decide upon a case of so much moment, without first ascertaining the will and pleasure of the Countess.

The nobles and people of Flanders and Hainault, however, almost unanimously declared in favour of the stranger, and the then King of England, Henry III., felt so certain of his being truly the imperial Baldwin, that he sent him a letter, congratulating him on his restoration to liberty, and sympathizing with his sorrows. Thus powerfully supported, the stranger determined on compelling the Countess Jane to give him the audience that she so obstinately and so suspiciously refused; and arriving with a large body of followers, at Quesnoy, where Jane then was, he very nearly succeeded in taking her by surprise, but she effected her escape, and fled to claim the assistance of the King of France, Louis VIII., who being the son of Isabella of Hainault, first wife of Philip Augustus, was cousin-german to Jane. But the Flemings conceived an additional disgust to the Countess, for appealing to a monarch, who, like his father, held her husband, Ferrand, in fetters.

Louis cited the supposed Baldwin to appear before him at Compeigne; and he granted him a safe-conduct, for coming and returning. The stranger obeyed the summons, as emanating from the feudal Suzerain to whom the counts of Flanders owed

lealty ; and he presented himself at the appointed place with the same composed and noble mien, as when he appeared before the Flemish Council. It was the interests of King Louis that Flanders should be subject to a passion-led woman, rather than to an approved statesman and warrior such as Baldwin (supposing that *he* survived in the person of the stranger) ; it was, therefore, only natural that *he*, too, should be determined to pre-judge and condemn the candidate.

The French King and his councillors assumed a menacing and yet a mocking tone, to disconcert and confuse the feeble attenuated old man ; disregarding the intimate knowledge of all Flemish affairs of state, &c., displayed by the mysterious personage, Louis announced that he would limit his investigation to three questions, viz., 1st., in what place did Baldwin, Count of Flanders, do homage to Philip Augustus for his fiefs ? 2dly., in what place, and at what time, did he receive knighthood ? 3dly., in what place and on what day was he married to Mary of Champagne ?

On these three questions hung the fate of the old man : and they were questions on which Baldwin might have hesitated. In how many brilliant scenes had the Count of Flanders been a chief actor from his youth ! he had been a knight in many tournaments, a General in many battles, a Prince in many Courts and Councils ; he had been a feudal hereditary ruler, and an elected Emperor ; he had *done* homage as the former, he had *received* it as the latter : he had twice done homage for his fiefs, in 1195 to the Emperor Henry at Metz, and to Philip Augustus at Compeigne : after a lapse of thirty years (ten of them years of pomp, and important occupations, and twenty years of solitude and suffering) his memory might hesitate to distinguish at once between the places and the times of those acts—and if he *were* Baldwin (which we ourselves verily believe), he had endured imprisonment and slavery, he had suffered intensely in mind and body. As he was of advanced age it was quite natural that when he was suddenly questioned on the pomps of his youth, on his investitures, his knighthood, and his marriage, his memory* should become bewildered by the phantasmagoria of half faded and mingling

* The lapses of Recollection are many and capricious ; we knew a man of extraordinary learning, sound judgment, and powerful memory, who lived nearly 40 years in affectionate union with a beloved wife, but never could remember in what season of the year they were married.

scenes and events that those questions called forth—he hesitated—he tried to arrange his recollections—but the look of triumph in the King's countenance, and the malicious sneers of the prejudiced councillors, increased (as they intended) his embarrassment. He acknowledged the confusion of his ideas, and accounted for it; and requested a delay of three days, to give him time for reflection, and for the uninterrupted exertions of memory. But Louis would grant no delay, listen to no reasoning, and pronouncing the stranger a self-convicted impostor, dismissed the assembly in an ebullition of rage.

We may here remark, with regard to the mysterious stranger, that many highly respectable and authentic foreign historians have recorded their belief that he was, in truth, the man he professed to be. Among these authors are Sismondi (*Histoire des Français*) Michelet (*Histoire de France*), and Michaud (*Histoire des Croisades*). On the other side, among those who believe him an impostor, are De Roccolles (*Histoire des Imposteurs Insignes*), Moreri (*Dictionnaire Historique*), and the author of *L'Art de Vérifier les Dates*. But we think the evidence in favor of the stranger preponderates, when we remember that he was acknowledged by the nobles and people of his native states, and by a king who had no interest to bias him either way, Henry III. of England.

To resume. Though Louis the Eighth pronounced the stranger a deceiver, yet respecting the royal safe-conduct he had given him when summoned to Compeigne, he did not issue orders to arrest him, but commanded him to quit France, within three days, on pain of death. The adherents of the unfortunate man, disappointed by the issue of the conference, alarmed at the hostility of the French King, and the fury of their own Countess, abandoned him whom they still firmly believed to be their rightful lord. Thus forsaken, he retired to Valenciennes, and attempted to pass in the disguise of a trader through Burgundy: but he was recognised by a Burgundian gentleman, named Erard Castenac, who getting him into his power by affecting sympathy, sold him for 4000 marks of silver to the unfeeling Countess Jane. She caused her captive to be put to the most excruciating tortures, in the agency of which he was compelled to sign a ready-prepared confession to the effect, that he was a native of Champagne, that his real name was Bertrand de Rains: that he had lived for some time in a forest near Valenciennes, as a hermit; and knowing that the

discontented Flemings lamented the loss of their Count Baldwin, and arguing the possibility of his being still alive, he was struck with the idea of personating him, and to that end took pains to acquire adequate information on all necessary points; and when an opportunity that appeared favourable arrived, he discovered himself as the revered and regretted Baldwin.

When Jane had extorted his signature to this prepared confession, she ordered her miserable captive to be tied upon a horse, and paraded, with every mark of contempt, through the principal towns of Flanders and Hainault, preceded by a crier proclaiming the alleged imposture and confession: and not satisfied with this punishment, she caused him to be publicly hanged on a gibbet at Lisle. It is recorded, that after the execution, the hard-hearted, unwomanly Countess received an undeniable proof that her victim was indeed her own unhappy father. When at the foot of the gibbet he entreated a trust-worthy person to remind her of a secret known only to her father, her mother, and her nurse; and the two latter had been dead for many years, and certainly never revealed it to others. It is added that the Countess was seized with a deep remorse; and as an act of expiation, she founded at Lisle, for the repose of the sufferer's soul, an hospital, called "the Hospital of the Countess;" and she directed a gibbet to be represented in its escutcheon, on the windows, the walls, and all the furniture, hangings, &c. This singular circumstance confirmed the Flemings in their belief that the Countess was a parricide.

Among the dark destinies of illustrious persons recorded by history, there is none more miserable than that of Baldwin (admitting that the stranger was he). To fall from a throne to a dungeon, to exchange complaisant courtiers for barbarous persecutors is not without parallel—but after years of suffering and captivity, to hasten home, full of affection and hope, trusting in the love of children, and the fidelity of friends, to find his most implacable enemy in his own first-born; to be denied her presence after a lengthened separation; to be refused even the chance of recognition, to be tortured on the rack, exposed to public shame, hanged like a common felon by the sentence of his own child, the daughter whom he had dreamed would have healed his wounded heart—the imagination shudders in trying to realize the dreadful picture!

We must now refer to the younger sister of the Countess Jane, Margaret, whom her father had left under the guardianship of her uncle, Philip, Count of Namur, and of Bouchard d'Avènes.

When Margaret grew up, Bouchard was still in the prime of life, and was handsome, graceful, and accomplished; he had conciliated the Countess Jane by his political services; he had won the heart of her sister by his personal advantages, and by his abilities he had gained the respect of the people. Encouraged by his popularity, by the favours of the Countess, and by his own noble birth, he asked, and obtained, the hand of Margaret in marriage. They had two sons, John d'Avènes and Baldwin. In some time after the birth of these children, (and before the appearance of the ill-fated stranger) the Countess Jane discovered that Bouchard had formerly been educated for the priesthood, had received the tonsure, and had been Archdeacon of Orleans, but on coming into Flanders he had concealed these facts, and had consequently married without obtaining the necessary dispensation from his vows of celibacy. Jane was incensed at the insult offered by Bouchard to an illustrious house by contracting an informal marriage with one of its daughters, and her wounded pride inspired her with a deadly hatred of her brother-in-law. Instead of using her interest to procure a dispensation for him from Rome, and a ratification of her sister's marriage, she exerted herself to ruin him, and to separate him from his wife for ever. She took measures to arrest him; but he avoided her snares, and hastened to Rome, to seek from the Pope absolution for his fault, and the confirmation of his marriage. The Pope refused the boon, pronounced him divorced, and enjoined him, as a penance, and under pain of excommunication, to repair to Palestine, there to fight against the Saracens during a certain number of years, and at the expiration of the period (if he survived) to retire to a monastery for life. Bouchard was obliged to submit, and proceeded to the Holy Land; where he performed many gallant exploits in battle, seeking every opportunity of distinguishing himself, in the hope that he might thus earn the indulgence of the Pontiff (who was especially interested in the Holy Wars), and might be permitted to rejoin his wife and family.

The time of his ordeal passed; covered with well merited laurels he returned to Europe bearing letters of the strongest recommendation from many leaders and nobles addressed to the

principal Cardinals, entreating their favour and interest for him. He reached Flanders in safety, and found means, despite the Countess Jane, to visit his wife and children. In this interview he felt so deeply the influence of the domestic affections, that he declared he would be torn to pieces before he would consent to relinquish them for a cloister. With renewed eagerness he set out for Rome, to urge his suit, and had the happiness to find the Pope propitiously disposed to him, for the sake of his military prowess. He at length obtained absolution, and the promise of a dispensation to confirm his marriage, and, full of hope and joy, he speeded back to Flanders.

But alas! for human hope and human joy! the Countess Jane was resolved that the half severed bonds between d'Avènes and his wife should never be re-united. She envenomed Margaret's feelings against him by exaggerating what she termed his treachery to a young and noble maiden, and inspired her with an abhorrence of her once beloved Bouchard, an abhorrence of such an unnatural description, that Margaret extended it even to her innocent children because they were *his*. In this perverted state of mind, she acquiesced in the designs of the Countess to destroy her husband. The latter, on his journey to Flanders, was seized by the myrmidons of Jane, and was seen no more. The mode of his death was never clearly ascertained; but it was generally believed that he was hanged in his dungeon by the order of his savage sister-in-law, whose inhuman conduct was subsequently remembered to her prejudice on the execution of *him* who had asserted himself to be her father.

Margaret contracted a second alliance, taking for her husband a Burgundian named William de Dampierre, a knight of noble lineage. The offspring of this marriage consisted of three sons, William who died at an early age childless, though married; Guy, and John. The small share of regard she testified for anyone was now wholly reserved for her second family; the blameless sons of the wretched Bouchard she spurned and ill-treated for the sake of their father. From a feeling of pity, Florent the Fourth, Count of Holland, took the eldest, John d'Avènes, and brought him up in a manner suitable to his birth; the younger son, Baldwin, less fortunate, remained within the shadow of his mother's frown.

In 1243 Margaret buried her second husband, and in the following year her sister, who dying childless was succeeded

by Margaret as Countess of Flanders and Hainault:* she associated her son, Guy de Dampierre, with her in the government, regardless of the claims of her elder children, the two d'Avènes. Her sway was still more tyrannical than that of her sister Jane, and was still more detested by the Flemings. She was so dark, stern, and unbending, so wholly without evidence of ordinary human feeling, that she was called by her subjects "The Black Lady".† She chose to consider her children by Bouchard as illegitimate; and delighted in sowing dissension between them and the Dampierres. Her unnatural conduct brought many calamities upon her country; the jarring pretensions of her sons created factions, and fostered party feeling.

Some powerful interposition was necessary. In 1249 the Pope (Innocent III.) sent his Commissioners, the Bishop of Chalons-sur-Marne, and the Abbot of Leté, to enquire into the case of the d'Avènes. After long deliberations, these ecclesiastics decided, that although the marriage of Bouchard d'Avènes with Margaret of Flanders, was irregular for want of a dispensation, yet, as it had been solemnized with all the due rites of the Church, the children of that union were legitimate. This verdict gave position to the young men. The eldest, John D'Avènes, received from his patron, Florent, Count of Holland, the hand of his daughter Adelais (or Alix), and the King of France, Louis the IX (St. Louis,) decreed as Suzerain of Flanders, that John d'Avènes should succeed his mother as Count of Hainault; and that Flanders should be the heritage of Guy de Dampierre: a provision was also made for Baldwin d'Avènes.

In 1253, Guy and John de Dampierre attempted, at their mother's instigation, to wrest part of Zealand from the Count of Holland, whom she hated for his kindness to John d'Avènes. In a battle fought at West Kapellen, in Zealand, between the Dampierres on one side, and the Count of Holland and his son-in-law on the other, the Flemings were defeated with an immense loss, and the two Dampierres were among the prisoners. John D'Avènes wrote to his mother, imploring her to listen to the long unheeded voice of nature, and to let the captivity of

* On the death of the unfortunate Ferrand, Jane had married Thomas of Savoy (son of Thomas 1st, Count of Savoy) called Count of Flanders while his wife lived.

† She is the subject of one of T. C. Grattan's "Legends of the Rhine," called the Curse of the Black Lady, in which her hatred of her first husband is ascribed (by the license of fiction) to jealousy.

her younger sons have a softening effect upon her heart. To his earnest and tender appeal she wrote in reply, "that he was welcome to be the hangman of his two brothers, and that he might, if he chose, boil the one, roast the other, and eat them both !" It seems incredible, yet it is gravely affirmed by a respectable historian, the continuator of Matthew Paris, that this atrocious language was used by a lady of high rank, a mother,—Margaret, Countess of Flanders.

After existing as the bane of her family and her country, (which she involved in a war with England) the "black lady" died in 1279, and was succeeded (as arranged) in Flanders by Guy de Dampierre, and in Hainault, by John d'Avènes. The latter left four sons, of whom John, the eldest, succeeded his father; the other three devoted themselves to the priesthood; William became Bishop of Cambray, Bouchard, Bishop of Metz, and Guy, Bishop of Utrecht. It is to be remarked that Bouchard d'Avènes and his evil-minded wife Margaret, were direct ancestors of an amiable and beloved Queen of England, Philippa of Hainault (wife of Edward III), who was fourth in descent (through John d'Avènes and Adelais of Holland) from that unhappily wedded pair.*

The tragical story of Baldwin and his children surpasses in gloom even that of King Lear and his daughters: it is of the same dark cast as "the old tales of Thebes and Pelops' line," whose guilt and anguish the Ancients ascribed to the decrees of inexorable Nemesis. The dramatic material begins at Baldwin's defeat and fate; but Le Rousseau has unwisely "commenced at the commencement," at the preaching of the Crusade by Foulque de Neuilly; and all the details drag their "slow length along" through a period of twenty-six years: these are the transactions at Venice, the reigns of Isaac Angelus, Alexius, and Murzuffle, the two sieges of Constantinople, the election of Baldwin, &c., &c., down to the execution of Bertrand de Rains, whom Le Rousseau, like ourselves, believes to have been Baldwin. It is a mere chronicle in dialogue, divided into five parts, we cannot call them acts when there is no acting; it is in prose, prosy; no striking point is made, no situation well wrought out; there is nothing

* The descent runs thus: John, eldest son of Bouchard and Margaret, was succeeded by his eldest son John, whose second son, William (heir on the death of his elder brother) was father of Queen Philippa.

of solemnity, energy, or pathos. It is impracticable (we should say) for the theatre: the spectator could not follow the thread of the narrative from scene to scene and from place to place, nor could he distinguish between all the personages, French, Flemish, Venetians, Greeks, and Bulgarians that encumber the stage. It is as difficult to be read as to be performed; the attention is worn out before the interest commences. Among the dramatis personæ we have the Countess Jané, who might have been made interesting by the tempest of conflicting feelings; but she is commonplace—the Queen of Bulgaria, without the fire that might have given force to the scene, she is tame enough, and imbued with French sentimentality; and Mary of Champagne, the wife of Baldwin, appears, towards the conclusion, merely to rave in madness, and to recognize Baldwin when her testimony is unavailing. We have looked all through this so-called drama in search of one scene, one passage to transcribe, but we can find none that we could think the reader would care to see.

The “First French Emperor of Constantinople” has been unfortunate in France: Nepomucene Lemercier essayed a tragedy on the same subject, and the representation was attempted at two theatres in Paris, but it proved wholly unsuccessful. We have not seen or read it; but Le Rousseau speaks of it very disparagingly in the preface to *his* “Baldwin:” if Lemercier’s drama be more *effete* than Le Rousseau’s, it must, indeed, be a “Curiosity of Literature.”

ART. III.—SUICIDE ; ITS MOTIVES AND MYSTERIES.

Recherches sur les Opinions et la Législation en Matière de Mort Volontaire Pendant le Moyen Age. Par M. H. Bourquelot. Paris : 1840.

Few events ever caused so much astonishment and dismay as the suicide of John Sadleir—his extensive engagements in vast concerns, his position in society, his intelligence, influence, and reputed fortune, made such an event, of all events, the most unlooked for. The details which throw light on the dreadful catastrophe are as astounding as the act itself. The most cautious never dreamed that the apparent favorite of fortune, whose name was considered a guarantee for the success of any project, would involve establishments, undertakings, and a host of individuals, in irretrievable ruin. In almost every suicide, however abhorrent the act, there is something to elicit a touch of sympathy—"the scowl of an un pitying world," may have driven a youthful aspirant to desperation—broken vows may have bereft a trusting husband of self-control, or a sudden bereavement quite upset reason—but in Sadleir's case, we can trace no higher feeling than an inordinate thirst of gain, which stopped at nothing for its gratification. The attempt of his friends to procure a verdict of insanity, utterly failed—the intense agony of his letters, and his expressions of remorse, which were brought forward to prove it,—and which could not indeed be read without pity—are in truth an evidence of his sanity—with all the consequences of his frauds, at length staring him in the face—the ruin of so many, some among them his own personal friends—could any but a madman have expressed himself but in terms of the greatest agony and remorse—in the contemplation of his guilty career, and its guilty termination, we can well conceive that his passionate anguish for the wrongs which he had inflicted, was the only source of consolation remaining for those to whom he was dear. Dr. Prichard in his *Treatise on Disorders of the Nervous System*, observes that "disappointments in the pursuit of wealth, in this country, where commercial enterprises engage so many individuals in hazardous pursuits, are among the most frequent causes of insanity ;" but here is a much more startling result, and the speculator may well pause over the course which, step by step, led to such a fatal conclusion and wide-spread ruin—

and may well call to mind the words of holy writ, "he who maketh haste to be rich shall not be innocent, for they who will be rich, fall into temptation and a snare, and into many foolish and hurtful lusts, which drown men in destruction and perdition."

Great difference of opinion exists among high medical authorities on the question, whether the mere act of self-destruction is in itself a proof of insanity. Men of great celebrity in the profession have taken the negative side of the question, while others of equal weight take a different view. Juries are almost always on the side of the latter; the law, as it now stands, naturally gives a bias to the feelings of those who sit in judgment. Compassion for the survivors makes them catch at every incident which can be construed into insanity, and avail themselves of every doubt which can be thrown on the adequacy of the motive, to account for the act.

It is little more than three and thirty years since, when by custom strong as law, the body of the suicide was treated with marked indignity; it was not admitted into consecrated ground, but was buried at the meeting of cross roads, and a stake was run through the body. Near Boston, in Lincolnshire, a very ancient hawthorn tree is still pointed out; it is a tradition in the neighbourhood, that it sprung from the stake driven through the body of a man who had destroyed himself more than a hundred years since. The unconsecrated grave is duly strewn with the blossoms which are shed over it like pitying tears. Reasons have been assigned for the rude interment of suicides in former days; where cross roads met, a crucifix was generally erected, that the pious wayfarer from every direction might offer up his devotions at the holy shrine; and the dead who were excluded from consecrated ground, were laid where they might rest under the shadow of the cross. The stake was run through the body, to prevent its rising to haunt the scenes of its former troubles. A person of the name of Griffiths was the last who was buried in this way, for in the same year, 1823, the legislature interfered to put a stop to the barbarous mode of interment. A law was passed, which enacted, that "*for the future it should not be lawful for every coroner having authority to hold inquests, to issue any warrant, or other process for directing the remains of persons against whom a verdict of *felo de se* should have been had, to be interred in any public highway, but that directions should be given for the*

private interment of such persons felo de se in the Church-yard or other burial ground of the parish or places in which the remains of such persons might, by the laws or customs of England, be interred, if the verdict of felo de se had not been found against them ; such interment to be made within twenty-four hours from the finding of the inquest, and to take place between the hours of nine and twelve at night." The act, however, gave no authority for the performance of the rites of burial. In the Roman Catholic Church, in the sixth century, it was ordered "that no commemoration should be made in the Eucharist for such as committed self-murder." This law continued till the Reformation, when it was admitted into the statute law of England by parliamentary authority, with the confiscation of lands and goods. Suicide was denounced as a crime by the Greek and Roman philosophers, and the offending hand was buried apart from the rest of the body. The Athenian laws made the condemned criminals their own executioners, thus sentencing them to commit suicide. In the city of Marseilles, the crime of suicide was tolerated, for we find by a passage in Montaigne's Essays, that "in former times there was kept in the city of Marseilles, a poison prepared out of hemlock at the public charge, for those who had a mind to hasten their end, having first, before the six hundred which were their senate, given an account of the reasons and motives of their design, and it was not otherwise lawful than by leave from the magistrate, and upon just occasion to do violence to themselves ; the same law was also in use in other places." The first instance of suicide recorded in the Jewish history is that of Samson ; the next is that of Saul, which took place 1055 years before the birth of Christ. His suicide, as we know, was very remarkable. He was a man of impetuous passions, under no self-control, and at the moment when he put an end to himself, he was distracted by the disastrous circumstances in which he found himself—the loss of his sons, and the dread of falling into the hands of his enemies made him anticipate the stroke of death, which from the mortal wounds he had received must soon have fallen upon him. The earliest account of suicide given in Roman history, occurred in the reign of Tarquin the First, when the soldiers, ordered to make common sewers, conceiving themselves disgraced, declared that they would not live, and so killed themselves ; afterwards Cato and other illustrious men put an end to their own existence. In scenes

of excitement and of seclusion we find that suicide was equally prevalent. In the romantic adventures of the twelfth and thirteenth centuries, with all their pomp of jousts and tournaments, we find scattered mournful tales of "*brave knights and ladies fair*," who died for love by their own hand ; and in the retirement of the monastery, that peace of mind which its remoteness from the world and its vain concerns seemed to promise, was not always found, for the number of monks who destroyed themselves is stated to have been considerable. *Tædium vitæ*, or weariness of life, is in most cases brought on by disappointment, sorrow, or despair, but not unfrequently from disgust of the world and an excess of its pleasures. This unhappy state of mind has never been more accurately described than by Seneca, for it was not only a common malady in his days, but it frequently ended in suicide; "full of heaviness and disgust," are his words, "languishing and discontented, dissatisfied with the past, and without hope in the future, indifferent to what they had done or what they had to do, men plunge into solitude without finding the peace of mind they seek ; they try all kinds of distraction, they bustle about, they travel from place to place, they supplant one emotion by another, they go from sight to sight, from pleasure to pleasure, ever wishing to fly from themselves, and ever finding themselves tied to the same insufferable companion." He says again, "the evil which torments us, springs not from the place we live in, but abides within us ; we are too weak to bear with anything, we are unable to endure pain, incapable of enjoying pleasure, impatient of everything, and tired of all. How many call out for death, when after having tried every change, they still experience the same sensations and cannot rouse a novel feeling. The world, their fortune, and life itself becomes a burden to them—in the midst of their revellings, they exclaim, what ! the same thing, always the same !" This exactly accords with what St. Chrysostom says on the subject ; he speaks of the utter want of all interest and energy, the depression, or rather the annihilation of spirit which accompanies it ; the monotony of which the wretched sufferer from *tædium vitæ* complains may well bring to mind the words of the preacher, "all is vanity and vexation of spirit, there is nothing new under the sun." It is well known that the action of the mind frequently disturbs the bodily functions, and that they, by reaction on the mind, occasion maladies which are known as mental diseases. The medical observer is aware that symptoms may

be aggravated or induced by the thoughts of the patient being directed to them. He appreciates the power of the will, for he often calls on his patient to exert it, as the only remedy he can point out for the mysterious disorders which baffle his skill, and which he designates *nervous affections*. He can cite marvels which have been produced by the attention being suddenly engrossed by some exciting cause—how the lame and decrepid have been restored in a moment to the active use of their limbs till an impending danger has been averted ;—he can set a just value on occupation, for he knows that whatever withdraws the mind from being exclusively engaged on bodily ailments, or the troubles of life, whatever, in fact compels attention, has the most salutary effect. It has been happily ordered that the affairs of life furnish occupation for the highest and the lowest, and he who voluntarily retires from taking part in its transactions, fails in his allotted duty. It has been well observed by Bacon, that “in the theatre of man’s life, God and angels only should be lookers on.” A philosopher preserved his reason while in prison, where he was denied the use of books and writing implements, by working out mathematical problems on the floor of his cell with an iron skewer which he had concealed in his clothes ; another declared that he could not have supported existence while in his sick chamber and enjoined perfect stillness, if he had not beguiled the time by reckoning the tiles on the opposite houses. Self-control, habitually exercised, is necessary for the regulation of the will and for the right direction of the attention ; for if unchecked by it, evil passions will gain an ascendancy over the will and the power of attention, irritability will increase in intensity by unrestrained indulgence, and act upon the brain till it becomes diseased. There are even instances where the foundation of a nervous complaint was laid before the birth of its victim, from want of the exercise of self-control in the mother ; by giving way to unreasonable emotions of terror and of passionate feeling, she may entail lasting suffering upon her offspring. Self-control is then necessary for the healthy condition of the brain and for the happiness of families. The means of our well-being are placed largely with ourselves ; we are furnished with restraining faculties for every temptation, with a sustaining help for every trial. To the neglect of the great power of self-control may be traced many of the sad and appalling events which are of such frequent occurrence. It may be doubted whether that power is so often *utterly lost*, as supposed ; it is sometimes found where most unlooked for. We could cite instances where lunatics, under a

searching examination in our courts of law, have exercised such self-control as to betray no proof of insanity—where no ingenuity of the most expert lawyer could surprise them into a discovery of the illusions and hallucinations which haunted them. We are endowed with a mysterious command over our thoughts, by which we can direct them to a subject which it is expedient that we should consider, and withdraw them in great measure from what is distasteful. But this command depends chiefly on self-control ; if it be discarded, then one fixed idea may take possession of the mind, and may lead to most disastrous consequences. This is a marked feature in almost every case of insanity, and is observed in most cases of suicide. Medical superintendents in lunatic asylums are so fully aware that a fixed idea belongs to most cases of the malady which they are appointed to treat, that their first care on the arrival of a patient is to elicit what his fixed idea is, and when it is ascertained, to endeavour to withdraw his mind from it, by every means that can be devised. The fixed idea brings on the reverie which engenders hallucinations and illusions, and oftentimes an utter repugnance to exertion. There have been instances where suicide has been prevented by a sudden turn which has arrested the attention. Pinel mentions the case of a man who had left his house one night with a determination to drown himself ; on his way he was attacked by robbers, and having made a vigorous resistance, the intention of suicide was totally dissipated. Dr. Burrows records a similar case—that of a woman who went out with the like intent, and was interrupted by something falling on her head ; she changed her mind, and instead of going to the water returned home. But a more interesting account of revulsion of feeling, was given by a Piedmontese nobleman, and may be found in a note in Rogers's poem of *Italy*. He was hurrying along the streets, to throw himself into the river ; “ I felt a sudden check,” said he, “ and on turning round beheld a little boy ; ‘ there are six of us,’ said he, ‘ we are dying for want of food ;’ ” the nobleman followed the child to his miserable home, and relieved the starving family ; “ their burst of gratitude,” added he, “ overcame me, and went as a cordial to my heart ; fool that I was, to think of leaving a world where such pleasure was to be had so cheaply.”

Poor Cowper under his attacks of despondency made several attempts to destroy himself. One night, when suffering from deep depression, he called a hackney coach from the stand, and told

the driver to leave him at the Tower stairs; the coachman drove towards the city; two hours passed, and he was still driving about the streets; at last he stopped, but it was at Cowper's door. When expostulated with, he could offer no explanation, but said that though he had been in the habit of going to the Tower frequently during the week, he was ashamed to say, that he had tried in vain that evening to find the place. Cowper got out of the carriage and hastened to the retirement of his chamber; there, on his knees, he offered up a prayer of thanksgiving for the divine interposition in his favour.

Chateaubriand was diverted from his purpose of self-destruction, while making the attempt; its failure confirmed his belief in fatalism; and so he concluded that his hour was not yet come; He speaks of the dread which he had of his father, and tells how when under his eyes, he sat motionless; "a cold perspiration," he goes on to say, "broke on my brow, the last ray of reason fled—I had a gun, the worn out trigger of which often went off unexpectedly; I loaded this gun with three balls, and went to a spot at a considerable distance from the great mall; I cocked the gun, put the end of the barrel into my mouth; I struck the butt end against the ground; I repeated the attempt several times, but unsuccessfully; the appearance of a game-keeper interrupted me in my design. Supposing that my hour was not yet come, I deferred the execution of my project to another day; that day never came."

Suicide has not only been prevented, but it has been accelerated by accidental circumstances; two years have not yet run their course, since M. Gerard de Nerval perished by his own hand—his loss was deeply regretted in the literary world of Paris; he was a man of considerable talent and information; he was a welcome contributor to reviews; an unfinished piece, intended for the *Revue Parisienne*, was actually found in his pocket after his death,—the string by which he hanged himself to a door in the *Place de Chatelet*, was a piece of strong tape, apparently an apron string. It is supposed that the accidental circumstance of his having picked it up, suggested the fatal act; he was at the time suffering from a nervous affection. Sir Charles Bell mentions the case of a barber, a steady industrious man, who was one day shaving a customer,—one of the surgeons of the Middlesex hospital. The conversation turned on a recently attempted suicide; the Surgeon observed that the man had mistaken the right

place for cutting the throat ; the barber asked where the cut should have been made ; the Surgeon said it should have been made at the carotid artery, and showed exactly where it was situated. The barber listened attentively ; in a few minutes the surgeon heard a noise at the back of the shop, and on reaching the spot, he found that the barber had cut his own throat, exactly in the manner which had been explained, and with the razor he had just used in shaving the surgeon. The power of sudden impulse points out strongly the necessity for the habitual exercise of self-control, and teaches that it is not only requisite in the trying emergencies of life, but in its daily occurrences.

The inquests on suicides are truly a melancholy study, but it is not without its use ; it exhibits in stern reality the fatal effects of want of self-control, and a lamentable deficiency of trust in Divine Providence, and it may suggest to such as would recoil with horror from *the crime for which there is no repentance*, that there is something to be answered for, by those who by over severity, neglect, or want of sympathy and tenderness, may have had some share, although it may be a remote one, in the fatal catastrophe. Who can say the guilt of the poor negro, torn from home and all that he loves, who escapes from captivity by death, is not shared, nay more than shared, by his ruthless task-master ?—Horror, dismay, and constant dread, during the reign of Robespierre, made life insupportable to many in France who died by their own hands. Was not the tyrant answerable for the catastrophe ? The comparative rarity of suicides in lunatic asylums since the humane mode of treatment has been introduced, proves that they had been much more frequently the result of despair than of insanity. Must not the memory of the boy, who hanged himself in the curtain, because his mother scolded him over much, have haunted her, as if she had been accessory to the crime ?—The weariness of life frequently arises from a constitutional melancholy, which if not combated by religion and by reason, will take such hold upon the mind, that no argument or variety can dissipate it. It is not unfrequently found where all outward circumstances are eminently calculated to dispel it. “ I feel a horror of the world ”—it is thus one writes to the friends he is about voluntarily to leave ; “ ennui consumes my existence ; my good friends, I bid you adieu, for I am resolved to die.”

Among the many interesting cases recorded in the *Journal of Psychological Medicine*,* is that of a gentleman, not more than twenty-five years of age, who possessed every worldly advantage, and who was surrounded by a family by whom he was tenderly beloved. He betrayed an unhappy disposition from his infancy ; though taciturn, gloomy and sad, he could not say why he was so ; pressed to partake in the amusements of his friends, he would seldom join in them ; he invariably treated his family with a reserve which no kindness on their part could overcome ; an exclusive idea had probably long taken possession of his mind ; at last, for three or four weeks it was observed that he seemed to take great interest in fashioning a plank of wood, about which he employed himself. When asked for what he was preparing it, he replied that they would see for what it was intended, when it was finished. One morning, having made his usual enquiries about his father's health, and having taken his breakfast, he retired to his own room, from which he never again came out alive ; he was found quite dead in the strange wooden construction about which he had been engaged. It is accurately described in the journal, in which we met with the details of the event. A fire-arm was fixed before him, a plank fastened to the wall behind him to deaden the balls, and a basket of bran beneath him to receive his blood ; he had written several sentences with a pencil on the walls, and on a small casket containing some letters referring to the fatal design, which there is every reason to think he had contemplated for a long time. The time which he had spent in making his preparations, the methodical manner in which they were completed, proved that the plan had been conceived long before. One of the letters found in the casket runs thus,—“I am going to heaven with my mother and Eugene D——, that is, if those who destroy themselves are admitted to the celestial habitations. No one on earth can address a reproach to me, touching my honor, probity and conscience. I die satisfied on these three points. I regret that my death is useless to my parents and my country.” He had written on the panel, “The apparatus for my end is completed. Adieu, father, brother, relations and friends—if it be God's will we shall meet again in the next world ; in my left hand I hold the weapon which is about to

* Edited by Doctor Winslow.

send me there. Adieu, adieu, adieu; pray God for the repose of my soul." A few words were written alluding to the plank and the basket of bran: "by that contrivance the trace of my blood will not stain the floor, and the impression of the four bullets about to traverse my body, will be marked only on this plank; it is already sufficient that my father's house should be the scene of my death." Such precautions had he taken to spare his family the pain of seeing the marks of the fatal catastrophe, while with a strange inconsistency he was about to plunge them in irreparable misery; he left a few lines to the painter who had recently taken his likeness; "when you receive this letter, I shall live only in the picture which you have so ably executed; my eyes will be veiled, and my image alone can recall to my poor father, what they formerly were. On the point of quitting life, I must set aside the painful thought that I am saying an eternal adieu to my dear relations. More fortunate than they, nothing but the separation is terrible to me; my resolve accomplished, all will be annihilated—imagination, organs; and I shall be inaccessible to all temptations; but that is not enough; egotism never had a place in my heart, and the intoxicating anticipation of the repose which I shall enjoy in death, does not blind me to the afflicting position in which I leave my father and brother; may they find in the features so faithfully copied by you, some consolation for their own sorrow; by two o'clock to-morrow morning I shall have yielded up my soul to God, unless some unforeseen obstacle prevent it." In his letter to his father he speaks of the ennui which embittered his life as beyond endurance, "and in the conflict," he adds, "I should certainly become a prey to insanity." It is curious to observe in almost all the documents left by suicides, how assured they feel, not only of repose but of an immediate translation to a celestial abode.

It is remarkable that suicides in lunatic asylums leave no writing after them, while those who are at large invariably do; in letters, pieces of poetry, or narrative, they reveal their feelings and their motives. In speaking of writing, it is a remarkable fact, as stated by that experienced and accurate observer, Doctor Conolly, that insanity is easily detected in the writing of the lunatic, not only in the style, but even in the handwriting: those who may have the power of concealing their insanity in a court of justice, under the most searching cross-examination, will, nevertheless, betray it in their writing.

This observation points out a test by which a question of great importance might be ascertained. The most extraordinary details ever written under such disastrous circumstances, are those which have been given by a subaltern in the Artillery, who put an end to his existence by lighting charcoal and blowing it with his mouth. He began by mentioning his intention of "employing the few minutes that remained" to him in describing the sensations attendant on self-asphyxiation, and the duration of the sufferings. "If that," he goes on to say, "is of any utility, my death will have been in some degree serviceable. If I come to an abrupt conclusion, it will not be owing to any pusillanimity on my part, but to the inability to continue, or that I have preferred to accelerate the catastrophe." For upwards of an hour and five minutes, he gave a regular account, at intervals of three or four minutes, of the pulsation and progress of suffocation ; the broken sentence marked the precise moment when insensibility occurred. The account is given at length in the *Journal of Psychological Medicine*. A case analogous to this is mentioned by Montaigne in his *Essays*, which occurred in the Isle of Cea in Negropont, where the same permission was given by law to suicide as in Marseilles. When Sixtus Pompeius had touched there, in his expedition to Asia, he was invited by a woman of great quality to her death. She had explained to her citizens her reasons for having resolved to die. Having taken the bowl of poison in presence of her relations and friends, she described minutely the gradual effects which it produced, from time to time as they occurred. She announced the progress of the cold, which by degrees seized different parts of her body ; as soon as it reached her heart, she called upon her daughters to close her eyes.

Among strange documents, written just before the act of suicide, we have been struck by one which appeared in the journals of the day, and found a place in Dodsley's *Annual Register*, January 20, 1767. A gentleman named Davies poisoned himself at the Angel Inn, Islington. He wrote a card a few hours before his death in these words—"Descended from an ancient and honorable family, I have for fifteen years past suffered more indigence than ever gentleman before submitted to. Neglected by my acquaintance, traduced by my enemies, and insulted by the vulgar, I am so reduced, worn down and tired, that I have nothing left but that lasting repose, the joint and dernier inheritance of all.

Of laudanum an ample dose
Must all my present ills compose,
But the best laudanum of all
I want—not resolution, but a ball.

Advertise this.

T. D."

In the last letters of many suicides there is a degree of levity which may be assumed as a proof of courage, but they cannot be read without a shock to the feelings. A student writes thus to a medical friend, just before the dreadful act—"I afford you an admirable opportunity of pursuing your phrenological studies, as I am now about to suffocate myself. You will even render me a great service, for in case of resurrection, I shall be curious to know whether I had the bump of suicide." We may indeed hope that the verdict of insanity in this case admitted of no doubt. For years the design of suicide may be entertained without the least betrayal that can lead to suspicion; indeed it is remarked that those who threaten to destroy themselves rarely carry their threat into execution, while those who are really bent on suicide take every precaution to elude suspicion. Hamlet's meditation on suicide was when he thought himself alone—the moment he perceived Ophelia he ceased to speak on the subject; so well was every state of mind understood by Shakespeare. Our thoughts and our feelings are so exclusively our own, that even those who love us best know them but in part.

"Nor can the tenderest heart and next our own,
Know half the reason why we smile or sigh."

Various documents found after the death of suicides prove that self-destruction has been contemplated for a length of time before it was accomplished; a number of those may be found in the *Journal of Psychological Medicine*, a publication to which we have already referred, and from which we have derived much valuable information. The following passage occurs in one of the numbers:—"I have had so little enjoyment of life that I quit it without regret. I have entertained the idea for the last three years." Another passage runs thus:—"I am certain I shall be easier with five or six feet of clay over my body than if I was erect. I had always determined never to go beyond thirty-two years of age, unless my fortune improved; my long fixed resolution does not fail." He goes on to bear testimony in his own favor, which is frequently the case with

those unhappy persons: "I never committed any action with which my conscience reproaches me; I firmly believe I shall be happier in another world." He then makes a request, which indeed shows the same recklessness about the feelings of his friends which his determination evinced—"The last service I ask you to render me is to assure yourselves that I am really dead. I have no fear but that I shall finish it, yet it would be very miserable to awake up and find myself between five boards: the way to satisfy yourselves is to open the four veins. You may easily see I do not kill myself in despair, for my writing clearly shows that my hand does not tremble."

We have been often struck by the deliberate and elaborate manner in which some suicides have been effected. That of Villeneuve was very remarkable; we give it in the words of Napoleon, as recorded by O'Meara—"Villeneuve," said he, "when taken prisoner and brought to London, was so much grieved at his defeat that he studied anatomy, on purpose to destroy himself. For this purpose he bought some anatomical plates of the heart, and compared them with his own body, in order to ascertain the exact situation of that organ; on his arrival in France, I ordered that he should remain at Rennes, and not proceed to Paris. Villeneuve, afraid of being tried by a court martial for disobedience of orders, and consequently losing the fleet,—for I had ordered him not to sail, or to engage the English,—determined to destroy himself, and accordingly took the plates of the heart and compared them with his breast, and exactly in the centre of the plate he made a mark with a large pin, then fixed the pin as near as he could judge in the same spot in his own breast, and shoved it in to the head, penetrated the heart, and expired. When the room was opened he was found dead, the pin in his breast, and a mark in the plate corresponding with the wound in the breast."

The great determination of purpose is often apparent in the deliberate manner in which it is accomplished. An inquest was held on the body of Elizabeth Trout, of Little Sheffield, Yorkshire, as recorded in Dodsley's Annual Register for 1806; in a fit of despair she made her way to a pond with the intention of drowning herself; the pond was frozen, but she was not to be deterred from her purpose. With a stick she made a hole in the thick ice, sufficiently wide to admit her head, which she was thus enabled to thrust under water; the rest of her body was perfectly dry, when she was found. We

read of another, who was suspected of an intention to destroy herself. She was carefully watched, her windows were nailed down, and everything removed from the room with which it was thought she could injure herself; for still greater security an attendant slept in the bed with her,—who one night was awakened from a slumber by a sound in the chamber; she missed the young lady from her side, and jumping out of bed, she found that she had stolen to a drawer at the far end of the room and got at a pair of scissors with which she contrived to cut her throat. Nothing can be more strange than the expedients resorted to, to insure death. There are instances of persons lying down on the rail-roads, that a passing train might crush them to death. A workman threw himself under the wheels of a cart filled with paving stones; it passed over him, and he exclaimed bitterly, "I wished to be killed and I am only wounded—if I could get up, I would go and drown myself." In a few moments he was dead—the injuries received were mortal. In September, 1820, as we find noticed in Dodsley's Annual Register, a well dressed man, along with a number of persons, was looking at a bear and other animals, which were being shown in the *Jardin de Roi*. The man suddenly threw himself into such a position as to come in contact with the bear, which sprang upon him and killed him; there is also a notice in the same journal, of another remarkable suicide which took place within that year. M. Fabricious, the director of the theatre at Magdeburg, undertook to discharge the pistol through the grating of the prison, by which the Marquis Posa in Schiller's *Don Carlos* is killed on the stage. At the very moment of that part of the representation, he shot himself through the heart and fell according to the directions for the part of Posa, without uttering a syllable. At a meeting of the Humane Society in 1846, a curious instance of attempted suicide was reported by M. Malier. A woman left her house one frosty night, determined to drown herself; the ice was so thick, that she could find no place where she could effect her purpose, so she placed her head under a spout, from which the icicles were thawing, and there remained till she was in such a state of insensibility, that the most powerful stimulants did not restore suspended animation, till two hours had elapsed. Some have been actually known to commit murder that their lives might be forfeited to the law—a horror of the crime of self-destruction,

prevented their committing a more direct suicide. There are instances of suicides having occurred so unaccountably as to leave but little doubt, that they were the result of sudden impulse; there is much in many of them that is mysterious, cases where no possible motive can be conceived, and no symptom of insanity proved. Among those who have failed in the attempt and recovered, or who have lingered for awhile before death ensued, some have declared their inability to account for it, but described it as originating from an impulse which they could neither understand or resist—often saying that the devil had been inciting them to the deed for a length of time. Doctor Eades deposed on the inquest held on the body of Foley, an hotel-keeper in Dublin, who had stabbed himself in three places on the 20th of April, 1846, that “on his being placed on the sofa, he declared he had stabbed himself; he described the manner of having done it; he said he must have been insane at the time, and expressed much contrition for what he had done; said the devil had been tempting him to do the deed, and had eventually overcome him, and expressed the greatest desire to recover, both for the sake of his soul, and on account of his family.”

Many similar cases are recorded; Carmiel speaks of the female demonolators of Northern Germany, who were frequently brought before the magistrates “bruised and wounded by themselves as if they were possessed.” They asserted vehemently, that it was Satan, who in revenge for their confession, did the mischief. Symptoms of a disordered state, they conceived to be tokens of Satanic power, and to escape from the torture and the stake which they anticipated, they sought a refuge in self-inflicted death, by throwing themselves into rivers and wells, or “hanging themselves to the bars of their prisons with shreds torn from their garments.” A man, condemned to the stake, made use of a piece of old rag fastened to a bone stuck in the wall, to hang himself; his knees nearly touched the ground, but he contrived to effect his purpose. Though we ascribe cases to insanity, there is undoubtedly something awfully mysterious about many of them. We are not among those who conceive a belief in evil influences a mere idle superstition. We are assured in the word which cannot err, that we have such to contend with, and that they are certainly among the trials of the present state of existence. Undoubtedly, many of the fatal acts, which appear the result

of sudden impulse, may have been prompted by a fixed idea, which may have possessed the mind for a length of time, so silently and unsuspectedly, that even after the melancholy catastrophe its existence was not suspected.

Among cases of apparently sudden impulse, we found a remarkable one, cited in some of the medical journals; it is that of a gentleman who occupied a high place in society; he was in affluent circumstances, had a happy home, and enjoyed the affection and respect of all his friends and relations, and no one could be in his company without feeling enlivened by his wit and vivacity. He was one day entertaining a company of his chosen friends and companions, and was observed to be in his usual cheerful spirits; he rose from the head of his table and went into his own room, took out a razor and cut his throat; his friends were in the act of drinking his health, when the alarm was given. A man who went out to his morning work as it was supposed, proceeded to Virginia water, into which he threw himself from off the high bridge near the black nest entrance to the royal property; his death might have been conceived to have been accidental, but for the writing which he had traced on the wall, "*Good bye all.*" The promptings to suicide have originated from such trifling causes in many instances, that it is difficult to conceive how they could have produced such a fatal effect; it has indeed been truly said by Butler, "the greatest evils in life have had their rise from somewhat which was thought of too little importance to be attended to." In the public journals for the year 1782, we are told that Mr. Edward Chamberlayne, who was universally esteemed for his high character and great erudition, was appointed one of the joint secretaries to the treasury that year, but his death soon followed his appointment. An excess of diffidence attended his acceptance of the office; he was visited by a friend who remonstrated with him on the absurdity of his misgivings, and asked him to take a walk in the park where they might talk the matter over. Mr. Chamberlayne went up for his hat and cane, but took the opportunity to throw himself out of the window, in such a position as to insure his falling on his head; his death was instantaneous. Several cases of suicide from trivial causes are mentioned by Doctor J. G. Millingen in his entertaining work on "*The Curiosities of Medicine.*" He tells us that a German student destroyed himself because he had a club foot; a youth

put an end to his existence, because he was not allowed to wear his Sunday clothes—another because he was conscious of being too fond of gossiping. A workman, enraged with his brother for taking some of his fried potatoes and throwing them into the fire, in his anger rushed to strike him, but being withheld and prevented, he suddenly ran off and threw himself into the canal St. Martin and was drowned. “A piece of good news which I heard since I had resolved to die, would have made me renounce my project, if I had not already dispatched a letter announcing my suicide”—was the explanation left by a suicide. A young lady killed herself because her lover made it a point that she should not go to a ball to which she had been invited ; a few lines left on her dressing table declared her reason for the rash act. Those about to commit suicide almost invariably contrive to be alone, they lock themselves up, they send those who are with them out of the way ; they seek some secluded spot secure from interruption ; but there are instances where the fatal act has taken place in the presence of others. A remarkable case is recorded in Dodsley’s Annual Register for 1773. As the regiment of the hereditary prince of Hesse Cassel was on its march, a captain made his company halt, and draw up around him ; the grenadiers loved him as their father, because he treated them as his children. He made a short speech to them on their situation, and earnestly entreated them always to do their duty. Having said this, he distributed all the money he had among them, then drew a pistol from the holster of his saddle and discharged it into his breast, and fell down dead in the midst of his soldiers ; no reason was alleged for the act. An instance similar in some particulars, we have often heard from the brother officers of a young man who fell by his own hand. He was a subaltern in the Tyrone militia at the time of the insurrection in Ireland in the year 1798. At the hard fought battle of Ross, he was desperately wounded, and unable to move with the troops who were rapidly retreating. He was fondly beloved by his men who gathered about him ; he implored them to leave him, and quit the field with the retiring army. When he saw that his entreaties were vain, and knew that in a few moments his faithful adherents would be surrounded, he drew out his pistol and shot himself through the heart. This act of self-destruction may certainly rank as a sacrifice and not as a suicide—the good of others was its sole object ; none of the selfish feelings which induce

an escape from troubles, or harassing thoughts by suicide, mingled with this act. Not only have there been instances where suicide has been committed in the presence of others, but there have been cases where there has been companionships in the crime. Husbands and wives reduced by want have been found lying dead side by side, having determined to destroy themselves together; still more dreadful, the husband and the parent has imbrued his hands in the blood of those dearest to him, before he has destroyed himself. Lovers about to be parted, have had recourse to charcoal, determined that even death shall not divide them, or have been found drowned in some river, locked in each other's arms. A remarkable case where suicide was planned and carried into effect with a companion, may be found in Dodsley's Annual Register for 1818. Two brothers, John and Lancelot Young-husband, were respectable farmers, living near Alnwick at Hickley Grange; the elder was near seventy years of age, the younger sixty. They had been remarkable from their earliest childhood for their strong attachment to each other. There was such an agreement in their thoughts and feelings, that they were never known to have had a difference of opinion. Between nine and ten o'clock on the 10th of November, one of them was giving directions to a boy, who was ploughing in one of the fields, when the other came over and said to his brother, are you ready? he answered in the affirmative, and they left the field together. They were missed at dinner, but it was conjectured that they were delayed by farming business, but when the shades of evening came on, some alarm was felt at their continued absence, and a servant was sent in the direction where they had been seen walking. In some time they were found lying near a ditch, but a few yards asunder, each with his throat cut, and a razor near his body; a watch was found near one of them, from which it was inferred that they had determined to die at the same moment. There was not the least appearance of a struggle, or any room for suspicion that they had fallen by any hands but their own. An inquest was held that night, and a verdict of *felo de se* was found; an attempt to prove insanity had utterly failed; the bodies were buried at midnight, in the cross roads near the church. The act appeared to have been for some time premeditated, as a hair-dresser identified the razors, as the same which had been brought to him on the Saturday

before to be sharpened. In the annals of passing events, in the Annual Register for 1825, we met with the following extraordinary detail :—"A Hanoverian gentleman and his five daughters resided at Berne, where they were visited by a young Englishman who fell in love with one of the sisters. One fine summer evening when the young ladies were taking the air in their carriage in the avenues of Engi, the young man and a friend drove up in his cabriolet. In a short time he proposed that one of the ladies should change places with his companion, and the object of his affections accordingly took her seat in the cabriolet beside him. The sisters expected to find them on their return home—but when time passed, and they did not come, the elder sister became alarmed, and the police were informed of the elopement. Next day news was received that the fugitives were traced to Friburg. The eldest sister, who was of an impetuous temper, set off with one of her sisters to reach them; she told the two whom she was leaving, that if she did not return by a certain hour they were to consider it a proof that their family was dishonoured. She then made them all join in a solemn oath, that if such were the case, and that she did not appear at the appointed hour, that they would put an end to their existence. On reaching Friburg, the sisters found all their efforts to induce the girl to return home unavailing, and they resolved to redeem their pledge; they, therefore, hastened to the banks of the river to drown themselves, but the courage of the younger failing, she cried out, "kill me, sister, for I can never throw myself into the river." The eldest drew out a dagger and was about to dispatch her, when a peasant came up and interfered to prevent her; she then sent a message in all haste to absolve her sisters at home from their oath; it was too late; they had made all necessary preparations for their father's comfort, and then dressed themselves in their best clothes, a care which suicides almost always take. On reaching the banks of the Aar, they fastened themselves together with a shawl and threw themselves into the river, in which position they were found some hours after.

The directions left by suicides who have died together, are generally to the effect that they may not be separated in the grave. There is sometimes an entreaty that they may be wrapped in the same shroud. A young woman deserted by her lover still hopes to touch his heart by her melancholy

fate and her last wish. She conjures him to "follow her, and to be laid in the grave by her side. "Carry this garland to our child's grave," were the words addressed to her lover by an unhappy girl; "it is the last prayer of one who loves you better than life itself." "Do not reproach the author of my death," is the last request of a forsaken one about to drown herself. On the 20th of last November, when the letters of a young girl were read on whose body an inquest had been held, there was not a dry eye in the court, and her poor sister fainted away. Her innocence had never been doubted, and she had borne an excellent character; to hide her shame she had committed suicide. In her letter to her mother she speaks of her case as being a fearful one, and begs of her not to fret; in speaking of him she had loved too well, she says, "I beg you will not scold my dear Harry; write to him and he will pay my funeral expenses; pray don't wrong him for my sake, don't scold him, I would not die happy if I thought you would do so. I am not yet nineteen years of age, do not forget my birth day, the 20th of December." The will of another at once betrays the cause of her suicide. She bequeaths all she dies possessed of, to her brother, *that he may not follow her example, but be able to marry the person he loves.* Another, in all the bitterness of her feelings, desires that her faithless lover may be assured that *he shall be haunted by her ghost.* The most extraordinary direction perhaps ever given was that of a French gentleman to his servant; he left a positive order that he should get a candle made of his fat, and take it lighted to his mistress that she might read by its blaze the lines written to her by him just before his suicide: a record of this curious case may be found in Dodsley's Annual Register for 1818. The tenderness with which the tokens of other days are cherished to the last, appears in the directions left by the unhappy beings; the request that some trinket—a ring, a bracelet, or some other token of affection—may be buried with them, is often the last wish expressed in writing. "We have eight letters on this subject," are the words in one of the numbers of the Journal of Psychological Medicine. "I pray to be buried with the hair that is round my neck," writes one; "it is my mother's." It has been remarked that in general, those who have lingered after they have inflicted the death wound are most anxious to recover; we could mention several instances. Early one morning, some years since, the

dead body of a man was found in the Phoenix Park; the instrument with which he had cut his throat was by his side; his pockets were unrifled, and it was evident that the wound which had deprived him of life, had been inflicted by himself, and also that he would have lived, if he could. The wound was stuffed with the grass with which he had striven to staunch the blood, and which he must have clutched from the ground where he lay; whether the removal of some pressure on the brain by the flow of blood, or some sudden turn of the mind brought the late repentance, it would be impossible to say. Providential aid may be at hand to avert the very ills, which the suicide hastens to escape. It is now many years since the Rev. Mr. H——, who was rector of a parish in the neighbourhood of Dublin, was involved in some pecuniary difficulties; he lost his patience, and probably his brain became disturbed. He and his daughter sat together alone; one day after dinner he told her to take a turn in the garden; she went out by the glass door which led from the room; she was not long absent; when she returned, she found her father quite dead, suspended from a rail over the door case, which she recollected to have seen him hammering in that morning, as she then supposed for a picture. His last sermon had been on the shortness of life. Soon after the melancholy event, news arrived of the death of Lord M——y, and of the munificent legacy bequeathed in his will to Mr. H——; a legacy far more than would have met all his difficulties.

Epidemic suicide is not rare; indeed in turning over the daily journals, we are struck by the numbers which occur about the same time and even in the same manner. Plutarch speaks of an intense propensity to suicide which raged among the Milesian virgins, from which the agonized entreaties of their friends could not dissuade them; a decree was at length passed, that the body of any young maiden who destroyed herself, should be drawn naked through the streets; this at once put a stop to the dreadful practice.

Suicide by fire is rare; Montaigne gives an account of a remarkable one, in one of his essays; it was probably in imitation of Empedocles, who threw himself into the Crater of Etna, that two were committed within a short time of each other,—an Englishman threw himself into the Crater of Mount Vesuvius, and a German not long after, threw himself into a furnace. It is indeed a strange circumstance in the history of

suicide, that there should sometimes be a fashion in the mode of its perpetration. When Elizabeth Moyes, a handsome girl of five-and-twenty, determined to kill herself to avoid going to service, which she thought would be a degradation, though the exigencies of her father's circumstances made him consider it imperative, the death she fixed on was one which required great resolution, perhaps she adopted it for its singularity; strange, that her courage should not have wavered as she ascended the long winding stairs which led to the top of the monument, from which she flung herself, and was instantly killed. Her remarkable suicide seemed the signal for others, and her example was speedily followed; it was found necessary to place a strong iron railing round the top, to guard against the repetition of such a dreadful act. A veteran at the Hotel des Invalides some years since, was found suspended from a door in one of the corridors; life was quite extinct. No suicide had taken place in the establishment for two years, but within one fortnight five invalides hung themselves from the same cross bar, and the passage had to be shut up. Towards the close of the Empire of Napoleon the First, a man threw himself off the top of the column in the Place Vendome, and was dashed to pieces. A week had scarcely elapsed before four others destroyed themselves in the same way. The interference of the police became necessary, and entrance to the column was prohibited. A man who hanged himself had no motive for the deed, but the desire to die as he had seen a mefector to whose execution he had been brought in his childhood; the wish to imitate him had haunted him all his days. Doctor Duncan, in his interesting volume, "The Popular Errors on Insanity," suggests an explanation of those remarkable cases; he supposes that from excited curiosity, the scene where the catastrophe occurred, is visited, that there imagination supplies the motives and sensations which may have led to the fatal act; and the visionary so far realises all that is passing in his mind, as to conceive himself in the same situation and actuated by the same feelings; then "*the fatal plunge is taken and all is over.*" This view of the subject agrees with Adam Smith's observations on our sympathy with others; it arises, he says, from our imagining ourselves in the same situation in which they are placed; it is this, he thinks, which makes us shrink and draw back our leg or arm when we see a stroke aimed and ready to fall upon the

leg or arm of another. "The mob," he goes on to say, "when they are gazing at a dancer on the slack rope, naturally writhe and twist and balance their own bodies, as they see him do, and as they feel that they themselves must do in his situation." Boerhaave, in his academical lectures on diseases of the nerves, mentions a remarkable case of imitative sympathy ; it was that of a young man, "addicted from his infancy, to so great a degree of sympathy, that he would immediately imitate all motions made by others, insomuch that when he walked the streets, he was obliged to look on the ground, to sit in company with his eyes shut, or to turn his face from his companions ; if he saw a man shaking his head, that moment he would shake his own head ; if he saw him laugh or smile, he would laugh or smile with him ; if any one uncovered his head, he would do the same : if one danced, he would get up and dance along with him ; in short, whatever he saw, he would mimic it immediately in spite of himself ; if his companions laid fast hold of him and tied his arms, and he then saw any one gesticulating and playing antics, he struggled hard to get loose, and felt within him the strongest motions which he was not able to conquer ; if asked what he was doing, he said he knew not, but was so accustomed from his youth, and begged to be left alone, because his head ached from such motions, and he was greatly disturbed in mind, and withal as much fatigued as if he had done them of his own accord." In referring to those extraordinary cases, we must perceive that actions may be prompted by a wonderful and mysterious influence ; and that sympathy, one of the noblest and most useful attributes of our nature, may, if yielded to the uncontrolled command of the imagination, become the very instrument of what is most hurtful and calamitous.

The different modes of suicide, when not merely determined by imitation, are said to vary according to the motives which prompt them. Poison is often resorted to in jealousy, drowning in disappointed love and broken faith, shooting in anger and rejected love, while in pecuniary despair, hanging and cutting the throat are the usual modes of accomplishing the fatal act. According to the statistics of suicides, we find the cases in which females preponderate are, "crossed in love," "jealousy," "misery," and "fanaticism : " the number of males is greater in "loss of reputation," "revenge," "reverse of fortune," "disappointed ambition," "misconduct," and "domestic chagrin ;" in "mortified

pride" the numbers are equal. We frequently meet a notice of a suicide in the public papers, without any details of the sad tragedy, which terminated so fatally; to one of the melancholy causes enumerated in the statistics, the catastrophe might be traced. Many of the wretched creatures who wander through the streets, homeless and friendless, are melancholy examples of destitute loneliness, they learn to look upon the grave as their only resource. We read in the papers from time to time that the body of one of those outcasts has been brought from the river Thames, to *the dead house*, where it has lain probably unclaimed and unacknowledged till borne away in the obscurity of night to be laid in its last resting place on earth. The addresses which are found in "The Times" every day, to unfaithful or unhappy fugitives, suggest the idea of untimely death; many among those objects of anxiety may have passed "the bourn from which no traveller returns." One such address appeared some years ago; an unhappy father implored the return of his son in the most endearing terms; he had punished the boy in hot anger, for some trifling fault, and in dread and misery he had absconded. He was sought for every where but could not be traced, and month after month passed away. At length one day when a trial of great interest was going on, the father saw his son at some distance in the midst of a crowded court; he beckoned to him with encouraging looks, but the boy shook his head mournfully; he then held up an orange, and made signs of a warm welcome, but his child again shook his head with an expression of sadness that went to his father's heart; he tried to reach him, but he had mingled with the throng and was no where to be found; they never met again.

Among the evil passions, jealousy has had its host of victims. We met with an account in Dodsley's Annual Register, of the wife of a gipsy ratcatcher, who was encamped with her husband and another person in a lane, just above Springfield village, in the year 1824; in a fit of jealousy she swallowed some of the poison prepared for the destruction of the vermin; she told the surgeon that she had not intended to kill herself, but had taken the poison to alarm her husband and to excite his affection; an antidote was administered and she recovered. The surgeon went to see her the next day, but the encampment had broken up; after much enquiry, the strolling party was traced to a barn on the road to Waltham; here again, incited by jealousy, she took another dose of the poison and died. The

sad effects of an unconfiding disposition, was never more strikingly exemplified than in Count Octave de Segure. It is detailed in the *Memoirs of the Empress Josephine*;—married to the woman with whom he was passionately in love, and who was equally attached to him, nothing appeared wanting to his happiness, but unfortunately he mistrusted his wife's affection. The idea that he was no longer beloved, made him miserable. The fixed idea made him at length resolve to quit her, and for fourteen years he abandoned her, his parents, and his children. He served as a common Hussar in the campaign in Germany, and distinguished himself so much, that he was raised to the rank of a Lieutenant. Heart yearnings after his home, and those he loved, at last induced him to return; he announced his intention in a letter to his wife, and assured her that he would make up for all that had been suffered on his account, by the most devoted attachment. He did return, but the joy of the meeting was of short duration. His mistrust revived, and he again hurried from those who loved him best, but never more to come back. He had thrown himself into the river, and was drowned. This is no solitary instance of an abandonment of home, from a morbid misgiving respecting the affections of those whose love is most coveted. Such cases are ascribed by Doctor Prichard, in his admirable *Treatise on Insanity*, to "an excess of tenderness." One of the most melancholy cases of which we have ever heard, is mentioned in the *Journal of Psychological Medicine*; it is that of a gentleman who had suffered great anxiety in consequence of pecuniary losses. He manifested symptoms which caused in his family great uneasiness, and they feared that they might be the forerunner of mental derangement. He disappeared one day, and was sought for every where, but was no where to be found. Month after month passed on, and still no tidings of him reached his unhappy wife; half-a-year had gone by in this cruel suspense, when one beautiful moonlight night, as she was sitting meditating mournfully, at her door, she saw the figure of a man advancing with stealthy steps, along by the trees which skirted the path to the house. She watched the movements of the stranger as he sometimes paused with folded arms, and looked at the moon, and sometimes wistfully at the house, and up at the tall trees; he came a little nearer, and her lost husband stood before her; but alas! he was a lunatic. In the middle of the night she heard a footstep

approach the door of the room where she slept ; it opened and her husband entered ; he looked silently and sadly round the room, and then drew a chair to the bedside and sat down. In her terror the wife lost all presence of mind and was unable to speak or stir. In a few minutes she perceived him looking fixedly at something which he held in his hand. It was a large carving knife. An attempt to snatch it, or to escape from the apartment, would have been attended with immediate danger, so she resolved to remain quite still, unless obliged to struggle for her life. The looks with which he regarded her and the weapon which he held, were very terrible. In a few minutes, however, the expression of his countenance changed ; he smiled and looked at her with all the fond tenderness of happier days, and said in the most pathetic tone—*Poor Sally—Poor Sally—Dear Sally!* He then rose and left the room. His wife immediately fastened and bolted the door ; he soon returned and tried to force in, but finding his attempts unavailing, he went to his own room. When morning dawned, he was again missed. A neighbouring pond was dragged and his dead body was discovered.

No trial is greater than the discovery of faithlessness in the one who has been loved and trusted. It has, perhaps, occasioned the greatest number of suicides. It is more utterly devoid of consolation than any other. To those who outlive a fond companion, the remembrance of the tenderness and affection which made a happy home, is the most precious consolation. But the recollection of every endearment adds a pang to the deserted one. Doctor Winslow mentions the case of a man who married at the age of nineteen, but soon after went out of his mind, on finding that his wife was unfaithful to him. In this unhappy state, he was the inmate of a lunatic asylum for thirty years. His mother, who had desired all along to watch over him herself, succeeded at the end of that time, in gaining permission to take him home, for no apprehension of danger in his removal was then entertained. She tended him in the melancholy fits of depression to which he had been subject ever since his misfortune. In one of these attacks, when he had been about two years at home, he cut his throat. The loss of blood was as great as was consistent with life. He recovered, and still more surprising, he recovered his reason. The case was reported, fifteen years after, and he had continued well up to that time. He must

have been soothed by the care and tenderness of his mother. But the best part of his life had been spent in melancholy seclusion, and his early affections had been blighted for ever.

In the statistics of suicide, a great number are put down to "*crossed in love*." We have met with many interesting accounts of such, but few more interesting than one which occurred in the year, 1826, which was noticed in the journals of the day. In the summer of that year, the fifty-sixth regiment was quartered in Mullingar; the second waiter, a young man of excellent character, became deeply attached to a girl, who was employed as assistant cook in the officer's kitchen. The Lieutenant-Colonel commanding the regiment, discouraged marriage among the soldiers, beyond the limited number who were allowed to take their wives abroad, so the good young woman was discharged, but the attachment continued. In some time after, the poor girl walked upwards of twenty miles in the heat of summer, under a scorching sun, to implore of the Colonel to consent to the marriage. He, however, peremptorily refused. The story goes on to tell, that "the lovers were compelled to take a sad and hopeless farewell." "Soon after," the narrator went on to say, "we were horrified at seeing some field laborers bringing the girl's corpse, which they had dragged out of the Dublin canal, to the regimental hospital, and although prompt attendance was given, all means resorted to for her recovery were unavailing. The survivor manifested no emotion, but seemed rather to evince revolting indifference. He insisted on attending at the dinner table, as usual, and even waited on a supper party, and we need not say that an officer's supper is a merry one. Early next morning he passed the sentry at the barrack gate, without exciting any suspicion, but was ere long brought back apparently drowned, from the canal, by, we believe, the same men who had seen his sweetheart take the fatal plunge. As his body lay on a table beside that on which her's was stretched, in the dead room, the most gay and thoughtless shuddered at the sight. However, after many efforts, the young man was restored to life, and placed carefully watched in one of the wards; but he persisted in expressing his determination not to survive. The medical attendant saw the necessity of calling in moral aid; Mr. Gibson, a Presbyterian Minister, a very excellent and highly esteemed man, succeeded in soothing the unhappy man, by his pious counsel; the salutary effect of religious consolation was thus

exemplified." Parting from those best loved, is allowed by all to be the greatest calamity of life, except their misconduct. That so many are supported under it might surprise, if we did not acknowledge a sustaining power in the Giver of all good.

Perhaps there never was a greater instance of support under difficulties, dangers, and sorrow, than in the daughter of Lady Sale; accustomed to every luxury of life, she followed her husband through his perilous campaign; the birth of her child took place in a stable, shared by eight women, and where none of the necessaries for such a time, or almost for the sustenance of life, could be procured. But the privation and wants were of little account to her, who was deploring the loss of a beloved husband, who had fallen but a few days before by the hand of the enemy. The mother and child were providentially spared to each other.

The mind is often wrecked in the storm of grief, and many of the suicides of which we read are its result. There was a case of this melancholy class, of the 31st of October, 1853. A young girl of eighteen, threw herself from an upper window, and was killed; grief for the loss of a sister who had been carried off by a rapid attack of cholera, was the cause of the fatal act; the suddenness of the blow, no doubt, upset her reason; a paper was found on her table, with these words "I gon to see sister, God forgiv."

The year 1818 was remarkable for two suicides which caused universal regret, those of Sir Samuel Romilly and Sir Richard Crofts, men of the greatest eminence and ability; the suicide of Sir Samuel Romilly was the consequence of disease brought on by mental affliction; the illness of his wife, to whom he was fondly attached, caused an intensity of anxiety which was too much for his nervous system—sleep utterly forsook his pillow, and from that circumstance, and from his troubled feelings, he became apprehensive about his own state. That the idea of suicide had not been entertained as long as Lady Romilly lived, is evident from a letter from the Isle of Wight, to a friend, dated September 27; in speaking of Lady Romilly he says, "she is considered by her medical attendants in some danger; she is for the present a little better, and I take care neither to let her nor the poor children see the anxiety I feel, but it costs me a great deal; with all this, do not suppose I have not resolution to undergo any-

thing to preserve my health for my children's sake." Notwithstanding this determination, when the blow came he was quite unequal to bear up against it; the very effort which he had made to suppress his feelings, while he watched over her illness, may have been injurious; his piety and fortitude would have supported him, had not his brain been in a state of disease, brought on by uneasiness and grief; his passionate actions; the tearing of his gloves, and of his hands, was a pitiable sight, his shedding no tears, and his utter abstraction and sadness, alarmed those about him; his daughter was brought to his side, and her hand placed in his; he embraced her, and then regarded his friend with a grateful smile as if to thank him for this momentarily collecting of his thoughts; but the fatal mischief was done, and he lost all self-control; he told a terrific dream which he had had, to his medical attendant, and he found it impossible not to believe it a reality; this was not only a proof of the shattered state of his nerves, but the means of increasing his malady. The witnesses on the inquest were overcome by their agonized feelings; his self-inflicted death was a source of the deepest affliction to all his relations and friends, and of regret to men of every party; admired for his eloquence, the eloquence of truth and sense, venerated for his piety and humanity, he was a loss alike to all. To his philanthropic views are due the first movements towards a mitigation of the criminal code, by the limitation of capital punishment; his humane views were afterwards taken up, and followed out by Sir Robert Peel. Sir Richard Crofts never recovered the shock from the disastrous termination of his attendance on the Princess Charlotte; nothing indeed could have weighed so heavily on a professional man, as an event so very sad; the thought, however ill founded it might have been, that something could have been done which might have saved his patient, but was omitted, may have added tenfold more bitterness to his regret; his professional calls too, aggravated his distress; every new case brought vividly before him the agonizing scene which had robbed him for ever of his peace. But three months had passed from the death of the Princess Charlotte, when an inquest was held on the body of Sir Richard Crofts; medical men, his friends, gave evidence on the distracted state of his mind; he was observed to be melancholy and abstracted, sighing often, and not to reply to the questions put to him; striking

his forehead in agony when about to visit a patient, saying he would give five hundred pounds that his attendance was over, and exclaiming, "Good God ! what will become of me ! " On one occasion a medical friend, at his vehement entreaty, attended for him. It was while in attendance on the wife of Doctor Thackeray that he killed himself ; he had remained with her till a few minutes after eleven on Thursday night, when he appeared fatigued and was prevailed on to retire to rest ; he was to be called at any time to attend Mrs. Thackeray ; at about two o'clock, her husband heard a noise which he conceived to be the falling of a chair ; at about three o'clock the servant maid knocked at his door and told him her mistress wished to see the doctor ; he hastened to Sir Richard's room, and on entering found him on his back quite dead, a pistol in each hand, the muzzles of both were at either side of his head, and had been discharged ; there could be no doubt of the verdict to be found in such a case.

But there have been cases involved in such mystery, that a question has arisen as to the justice of the finding ; the possibility of the deceased having accomplished the act from which death ensued, being doubtful. " It has been contended," we are told by Professor Taylor, in his work on Medical Jurisprudence, " that the position of the body may serve to distinguish suicidal from homicidal hanging. This point was strenuously argued on the investigation which took place on the death of *the Prince de Condi* in 1830 ; according to the opinion of some of the witnesses on that investigation, if the body of a man be found in an inclined posture, or so suspended that his feet are in contact with the floor, the idea of suicide by hanging is at once negatived." Doctor Taylor brings a number of cases forward to prove the contrary. " Cases are of very frequent occurrence," he says, " where the bodies of hanged persons are found with the feet on the ground, kneeling, and sitting, or even in the recumbent position ; these are truly mixed cases of hanging and strangulation." He enumerates a number of most extraordinary cases ; the most extraordinary of all is that of a prisoner who was found dead in the sitting posture ; he was hanging to the iron bar of the window of his prison, which was so low, that he was almost in a sitting posture. The ligature which he employed was a cravat ; what was more remarkable in the case, was that the hands of the deceased were found tied by another handkerchief. The body was warm when discovered ; there was not the least doubt of

this having been an act of suicide : it is supposed that he had contrived to tie his hands together by means of his teeth. In the case of the Prince de Condi it was alleged, that he could not have hanged himself, in consequence of a defect in the power of one hand. "A determined purpose," the professor goes on to say, "will often make up for a great degree of corporeal infirmity." A verdict of *felo de se* was brought in, at the inquest held on the body of Maryanne Waley ; the case appears to us involved in great mystery. She was of a highly respectable family ; her marriage took place on the 27th of June, with the entire approbation of her friends. She accompanied her husband on a wedding excursion to Scarborough and Leamington, and then settled in Leeds, where his business lay. Mr. Waley was past thirty, and she was three years younger at the time of their marriage ; she wrote to her sister ; her last letter was dated the 7th of July, giving, as stated in the Journal of Psychological Medicine, "the most simple and artless account of her happiness ;" it ended with these words ; "it has just struck five, and as my dearest William makes his appearance about that time, I must draw to a close and make ready for his tea, so, dearest Susanna, with our united love, your affectionate and happy sister." On the ninth of July she had breakfasted with her husband, and they had parted on the most affectionate terms, as he was going out to his business ; she was pious and gentle, and of a remarkably cheerful disposition ; she had been seen as late as half-past eleven o'clock in perfect health and spirits ; in four minutes after, she was found stretched on the floor, her throat cut from ear to ear, a razor between the finger and thumb of her left hand ; the Coroner's direction to the jury obliged them to bring in a verdict of *felo de se*, though he said it was a case involving great mystery, and "it appeared singular," he added, "that she would use the left hand to the left side of the neck, as the other would have been exerted more readily and more powerfully, but the jury must respect the medical testimony in stating, that it was possible for deceased to have inflicted the wound, even in the manner described. There were no grounds for suspicion against any one ; the servant girl had been examined, and there were no grounds for supposing that she was an agent in her mistress's death." He could "not say whether persons had entered the house, as persons had been so officious as to clear away all before the jury or any other persons capable of forming an opinion had seen the place. No inference could

be drawn from Mr. Ken's statement, he was so confused ; there was sufficient evidence as to her perfect sanity up to five minutes before her death ;" so he told the jury that they had better find a verdict of *felo de se*, than by giving another verdict, throw a suspicion on any one. After three hours' deliberation, the jury brought in a verdict according to the Coroner's direction. The inquest was held just eighteen days after her wedding day. The verdict appears strange.

In the inquests on those who have filled the measure of their guilt and have sought for no pardon and no peace but that which they think is to be found in the grave, it would appear that on many inquiries there could be no hesitation in the verdict, unless every excess of passion is to be classed under the head of insanity. It is often said of a reckless character that *he is nobody's enemy but his own*. There never was a more unfounded assertion ; it is worthy of all observation, that every guilty action involves more than its perpetrator in misery. The misconduct of one who is near and dear, plants the sharpest thorn in the breast that ever rankled there. How many silent tears have been shed—how many agonised prayers have been offered for one, who never weeps for himself, who never breathes a prayer in his own behalf—for one *who, according to the adage, is nobody's enemy but his own*—how often does his career involve a whole family in distress, ruin, and shame ! There never was a more startling illustration of this, than in the case of Sir John Piers. After the verdict found against him, in the action brought by Lord Cloncurry for the seduction of his wife, he retired to the Isle of Man, most probably to avoid the payment of the damages which had been awarded. Untouched by remorse, his seclusion was not given to repentance, but to the same criminal course which had disgraced him in his own land. Here he seduced the daughter of a clergyman ; driven to madness, by the ruin of his child, her father shot himself ; excited by this dreadful catastrophe, Sir John Piers put an end to his existence ; and to the sad catalogue of miseries which he had caused, the utter distraction of his victim may be added. One of the sad tragedies which are revealed on inquests occurred at Little Chelsea, in the autumn of 1821. A father and daughter, Andrew and Mary King, resided together ; she managing his household concerns, and he following his calling of carrier between Chelsea and London ; he was often seen at the first dawning of day wend-

ing his way with his horse and cart, and returning in the evening to the repose of his home. It came out in evidence that the girl had been seduced by a man with a wife and family, and had given birth to a still-born infant. The father was nearly bereft of reason when the discovery took place, and it appeared in evidence, too, that the girl was quite heart-broken. One evening when her father was from home, she stole back to the cabin, and drawing a chair she sat down. What her feelings must have been, in finding herself in the place where they had been once so happy, and surrounded with the objects familiar to her sight, was proved, for on his return, the father found the one who used to gladden him with a welcome, now stretched, dead and gone. Overcome by anguish she had fallen lifeless from the chair. There she lay before him, *dead, quite dead*. In an agony the old man exclaimed, vehemently, that he could not survive her, and heavy were the curses which he heaped upon the head of him who had been the ruin of his child. After the first frantic burst of grief he began to busy himself with his usual concerns, and he went from home on Saturday, as we find by the record of the inquest, and returned in the evening. Having put up the cart in the stable, he went in and wrote a letter to his son ; he then returned to the stable ; the son coming in, missed his father and went to the stable to look for him, and there he found him suspended to a pole placed across the hay-loft door. To this he had tied a rope, the other end of which he fastened round his neck. He had thrown himself off a ladder ; to his coat was pinned the letter which he had written to his son. It contained his will, to which the following words were attached :—“ I am sorry to trouble any body with my miseries, but the treachery of false friendship has broken my heart ;” he then named the person, and added, “ you have destroyed my family. My daughter is dead, and I am undone.” The father and daughter were laid side by side in one grave.

When speaking of suicide, Scott observes : “ Imagination renders us the victims of occasional low spirits ; all belonging to this gifted, as it is called, but often unhappy class, must have felt that, but for the dictates of religion, or the natural recoil of the mind from the idea of dissolution, there have been times when they would have been willing to throw away life, as a child does a broken toy. I am sure I know one who has felt so.” When such were the feelings of Scott, so remarkable

the inscriptions, and was so absorbed in his musings that he did not perceive a new made grave, which lay open before him; he fell into it, and on being assisted by his friend to rise, he turned to him and said: "my dear friend, I feel the sting of a speedy dissolution. I have been at war with the grave for some time. I find it is not so easy to vanquish as I imagined. We can find an asylum from every creditor but that." That melancholy walk with its accidental circumstance, probably recalled too vividly, those thoughts of a dreadful resource for the wretched on which he had often meditated. The idea took possession of his mind and a dose of poison terminated his brief life. He had only attained the age of seventeen years and nine months. He had not tasted food for three days, and it was with his last penny that he purchased the arsenic with which he poisoned himself. The record of the inquest which was held on his body, is one of the most affecting documents we have ever read. The evidence all went to prove a very excellent character, and a very sad fate; the persons with whom he lodged, bore testimony to the regularity of his payments, and of his care for his mother and sister, "sending presents to them while in the utmost want himself."—One loaf was all that he allowed himself in the week, the stalest that could be got, that it might last the longer. He asked for no assistance and even declined such as was offered. At one time his landlady pressed him to retain sixpence out of his week's rent, as she knew he was handing her all that he had, but he would not. One day, when he had taken no food, she would have had him dine with her and her husband; he thanked her, but declared he was not hungry. The apothecary said, when he was examined, "I believe if he had not killed himself, he would soon have died of starvation, for he was too proud to ask of any one; witness considered deceased as an astonishing genius." It came out in evidence that "he was frequently for nights without going to bed; he wrote for the *Magazines*;" his publishers were inconsiderate, at the very time when his distress was so urgent, and drove him to such extremity, they owed him eleven pounds. It is no great stretch of charity, however, differing from the finding of the jury on the inquest, to attribute the fatal act to a diseased state of the brain, brought on by mental labour and bodily suffering. Wordsworth, Byron, Coleridge, Shelley, Keats, and Alfred de Vigny, have each paid a tribute of admiration to the genius of "the

marvellous boy". Chatterton, we are told, was in his childhood, pensive and melancholy. This cast of character is often observed in the early days of men of genius, but by judicious management, its ill effects may be prevented; air, exercise and diversity of occupation, are unfavourable to the state of reverie to which it inclines and by which it is encouraged.

It is a remarkable fact, that instances of insane naturalists are rarely if ever found; the endless variety which their pursuit affords keeps their mind and attention alive, and in the marvels which nature reveals, their thoughts are constantly directed to the Author of all. A friend, in speaking of her own dear son, told how much she had suffered during part of his childhood by the unaccountable melancholy under which he laboured; he would stand looking in her face, while the big tears rolled down his cheeks; "Mother, I'm sorry," he would repeat from time to time, in the most pathetic tone; when she would press him to say what ailed him, he would still reply "Mother, I'm sorry." Various pursuits, suited to his elegant tastes, a deep sense of religious duty, and feelings that sought in the sympathy of others for their greatest enjoyment, prepared him for coming years, and through his youth and manhood he was remarked for a delightful gaiety, and "the sweet content that goodness bosoms ever."

Though exercise is necessary for the preservation of mind and body in a healthy state, it may be carried too far; the body will sink, if it is exerted beyond its natural strength, and the mind if overstrained by intense study, particularly if it interfere with the hours of repose and relaxation, cannot bear up against the pressure. Dr. Winslow observes that "every effort of thought is accompanied by expenditure of living material; the supply of the material is through the blood, hence the blood is sent in greater quantity to the brain in thought; and when the increased demand is constant, an increase in the vascular capacity of the brain becomes necessary, and is provided by the adaptive reaction of the organism." The affecting case of William E. Tooke, who was a victim to exclusive study, is no solitary example of its fatal effects. This gifted youth, so distinguished at Trinity College, Cambridge, devoted himself from a very early age to the most abstruse enquiries into moral and political philosophy; to his intense application the melancholy catastrophe was attributed which deprived his country of one who would have ranked among her chief

ornaments. The verdict returned, was, that he had "destroyed himself in a fit of temporary insanity, brought on by inflammation of a membrane of the brain, supervening on a state of nervous exhaustion, consequent on excessive mental exertion in too ardent a pursuit of knowledge." Beattie's sufferings after the metaphysical studies in which he had been engaged while writing his *Essay on Truth*, were so great that he could not bear to look over the proof sheets, and had to employ a friend to undertake the task; when it was published, he declared that he dared not read it; "those studies," he said, "came to have dreadful effects upon my nervous system; I cannot read what I then wrote, without some degree of horror, because it realises to my mind the horrors that I have sometimes felt after passing a long evening in those severe studies." Tissot, in treating of "the health of men of letters," enumerates a vast and melancholy number of those who were intense sufferers from exclusive devotion to study; he mentions among them Kotzebue as having "attempted suicide in consequence of an overwrought brain;" it is well known that Lord Londonderry, who died by his own hand, in August, 1822, toiled generally for twelve or fourteen hours every day, at the most exhausting of all kinds of labour. The deep thought, and the cast of melancholy expressed in his fine countenance, indicated the state of his mind. We read in one of the late papers the result of an inquest on the body of a suicide; he "destroyed himself," was the verdict, "while labouring under temporary insanity, *having been for some time in a low and desponding state of mind, brought on by over study.*" There are many cases, where those who spend themselves in an exclusive study, are liable to the same state of abstraction and reverie, to which poets or painters are so peculiarly subject; unable to dismiss the train of ideas which has occupied them in a fascinating pursuit, they are frequently as little observant of the passing scene, as if it were not in existence; this is the very state of mind most frequently beset by illusions and hallucinations; the state which is known as the *student's hallucination*.

We could cite examples of many a bright star, which set even while diffusing its light on a world, which it seemed designed to illumine. There was one—remembered well—whose memory will be for ever cherished in his native university with the pride and admiration due to rare endowments; his honoured

name has reached the most distant part of the world ; he fell a victim to pressure on the brain, which led to the fatal catastrophe, brought on, it was said, by intense application to mathematical questions of complicated calculation. If ever consolation was afforded to the friends of one who died under such circumstances, it was in this deplorable case. The last work which had been seen in his hand, and it was on the very morning of his death, was a volume of Butler's Sermons ; the manner in which he spoke of those admirable discourses to a friend, who came to him, as he closed the volume, evinced the sentiments which were uppermost in his mind. The elevation of that enlightened mind, was so well known to his friends, that they at once attributed the fatal act to a physical cause, a conclusion borne out on the inquiry.

Many of the nervous ailments now so prevalent among the young, may be traced to an over-strained system of early education ; before it is sufficiently matured, the mind is overtaken with scientific lessons and profound subjects, which require a depth of thought and a closeness of attention quite unsuited to the mental and physical temperament of childhood. Medical men are quite aware of the danger of a great demand upon the young brain ; parents who would make prodigies of their children, should be taught in a less melancholy way than by experience, that the functions of the brain should not be prematurely exercised on subjects which require a great stretch of the intellectual powers. Lord Dudley has been mentioned, as exemplifying the mischief done by this fatal error ; his fine intellect was irreparably injured by the system pursued by his tutors, who, in admiration of the power of his mind, exercised it too severely ; the child of promise was, after the lapse of some years, doomed to the most pitiable seclusion.

Nothing, perhaps, is so much calculated to impress us with a conviction of our fallen state, as the frequent observation that to the best affections, the highest endowments, and the noblest pursuits, the origin of the greatest calamity may be traced ; it should indeed teach that these inestimable gifts should be humbly held, and subjected to the control without which the very blessings bestowed for our happiness may become a source of misery.

ART. IV.—THE IRISH POOR LAW.

A History of the Irish Poor Law, in Connexion with the Condition of the People. By Sir George Nicholls, K.C.B., late Poor Law Commissioner, and Secretary to the Poor Law Board. London: John Murray, Albemarle-street, Knight and Co., 90 Fleet-street. 1856.

Of the ills and misfortunes of life it is trite to say, that while the larger and heavier inflict of course the severer suffering for the time, the lesser are usually found to be the more thoroughly harassing, owing to their more frequent recurrence, and not a little also to the undignified character of the annoyance.

The particular case of Ireland offers no exception to this general rule. Her graver visitations have their own terrible effect for the moment, and undoubtedly leave deep traces behind. But there are minor evils far oftener at work, which if less tragic in their effects, prove on the whole to be infinitely more teasing and irritating. And amongst these latter, there are none to our mind rife with small but frequent vexations, and petty, yet often very insulting, annoyances, that those which go to make up the characteristics of the work now lying before us, and of its author as a public man and an official.

This application should indeed be extended to almost every English publication of whatever nature that has (or *makes*,) occasion for commenting upon Irish matters, and to the writers and compilers of those publications. Whatever else they contain, however in other points and particulars they may vary from each other, in one point there is an unfailing similarity, namely, in the tendency to depreciatory, sarcastic, and oftentimes most calumnious expressions towards Ireland. No doubt, sad to say, that this state of things is encouraged and fostered by that yet more unworthy and deplorable tendency of too many Irishmen to run down their own country and countrymen; a disposition and practice totally without parallel in any other country; as neither the English, the French, the Germans, nor any other people save only certain classes amongst our own, are guilty of *calumnious candor* of the kind. They rather endeavor to cover over and conceal, or excuse where concealment is not practicable, whatever they may consider defective, or open to censure, at

home; and neither seek to gratify prejudice and party leanings at the expence of national and brotherly feeling, nor suffer themselves to be deluded by the altogether miserable hope of enhancing their own importance by depreciating, ridiculing, and slandering the sons of a common soil.

But the misfortune of Ireland in having these unnatural and unworthy children is no justification or excuse for the further infliction upon her of sneers, misrepresentations, and contempt on the part of our British neighbours. Assuredly it would better become them to have consideration,—we will say compassion, if they prefer the word,—for us Irish; and to be more careful in avoiding whatever may tend to impede or weaken that thorough, hearty, kindly, good will and right understanding of each other which ought to mark the normal state of our international relations, but never can do so while English writers and speakers so thoughtlessly, or wantonly, indulge in slight, and petty insult and outrage, whenever referring to Ireland and the Irish. The legal and political ties of the two countries, may be drawn tight as such ties can be; but so long as the strength of *moral* ties is wanting,—and wanting it *must* be when dislike and ill-feeling are being continually generated by these continual provocations—the connexion will ever wear a character of compulsion, of most unhappy prestige and effect at the moment, and of equally unhappy augury for any imperial emergency of the remote future.

At first sight it may perhaps appear that we are making rather too much of this inconsiderate practice. But even if the instances of it are to be accounted trifles, yet as before remarked, trifles after all make up the sum of our daily troubles and cares, and leave their mark upon us in life. And there is not an Irishman, of whatever class or party he may be, who if he indulge in a moment's self-examination, and candidly declare the result, will not confess to having many times felt, and felt sorely, the particular annoyances in question, and the lurking bitterness they have occasioned in his breast. Besides which we must add that the instances patently and indisputably of grave importance are by no means far to seek. One of them is forced directly and immediately upon our notice by this book of Sir George Nicholls. We cannot bring ourselves to treat as of light consequence the manner and spirit, no more than the substantial nature, of his interferences, legislative and literary, with our concerns.

There is not, of course, nor can there be, any impeachment of his personal respectability and honesty of purpose. Nor indeed if his interferences have, as we believe, been injudicious and harmful, is the blame of originating them to lie upon him. He was chosen out and specially commissioned for the purpose; and it is to the Government or Chief Minister of the day, who made the choice, and gave the commission, and not to him, that the blame and the shame should revert. His self-opinion was naturally excited to the uttermost by the selection, particularly under the circumstances attending it; and there can be little wonder at his consequent blindness to the difficulties and hazards of the task before him. Of course, however, the same excuse ceased to exist when his ignorance of their magnitude and utter ignorance of Ireland began to be dissipated.

The circumstances of his selection and "First Report" were shortly these. A demand, springing from several motives—jealousy of Ireland's exemption from any public burthen to which Great Britain was liable, impatience at the presence of Irish paupers in the English workhouses, and a desire to throw at all hazards the support of Irish poverty upon Ireland, while her wealth should continue as theretofore to flow into and be spent in England—had been for a long time made for the establishment of poor laws in this country, by the influential middle classes of the sister kingdom, and about the year 1833 had acquired such potency that a special commission to enquire into and report upon the subject of a Poor Law system for Ireland was nominated and set to work. That commission, to use Sir George Nicholls' own words, (p. 129) was composed "of men specially selected for the task, and standing deservedly high in public estimation for talent and acquirements." They made three most elaborate and painstaking reports, full of valuable matter and important and well considered suggestions. But their views and recommendations not promising to satisfy the increasing clamour in England, Lord John Russell threw them overboard, and sent Sir George, then plain Mr. Nicholls, to report in the way desired and recommend up to the mark of what the clamourers demanded!!

He shall now speak for himself, pp. 157-8, &c., of the work we are reviewing:—

On the 22nd of August, 1836, I received directions to proceed to Ireland, taking with me the Reports of the Commissioners, and

there to examine how far it might be judicious or practicable to offer relief to whole classes of the poor, whether of the sick, the infirm, or orphan children—whether such relief might not have the effect of promoting imposture, without destroying mendicity—whether the condition of the great bulk of the poorer classes would be improved by such a measure—whether a rate limited in its amount, rather than in its application, might be usefully directed to the erection and maintenance of workhouses, for all those who sought relief as paupers—whether any kind of workhouse can be established which should not give its inmates a superior degree of comfort to the common lot of the independent laborer—whether the restraint of a workhouse would be a sufficient check to applicants for admission; and whether, if the system were once established, the inmates would not resist, by force, the restraint which would be necessary.

Supposing the workhouse system not to be advisable, I was directed to consider in what other mode a national or local rate might be beneficially applied, and to examine the policy of establishing depôts where candidates for emigration might resort. My attention was also specially directed to the machinery by which rates for the relief of the poor, might be raised and expended; and to the formation and constitution of a central board, of local boards, of district unions, and of parochial vestries. I was also directed to inquire whether the capital applied to the improvement of land, and the reclaiming of bogs and wastes, was preceptibly or notoriously increasing, or diminishing, and to remark generally upon any plans which might lead to an increased demand for labour; and lastly, to carefully read the bills which had been brought into the House of Commons on this subject, during that year, and the draft of a bill prepared by one of the Commissioners of Inquiry in conformity with their report.

As he himself says, “the proposed inquiry was *sufficiently extensive*,” and he adds that he “entered upon the duty with a deep sense of the responsibility it involved.” Such a feeling was but natural, especially as he had never been in Ireland in all his life, and knew nothing at all about her. Under these circumstances, what was the period of time that intervened between his undertaking the task and his first and main report?—exactly NINE WEEKS!!!

Nine weeks *inclusive* of preliminary visits to workhouses in London, days travelling by *coach* (no railroad then open save from Manchester to Liverpool) voyages across channel, Sundays, &c. &c. “Early in September” he began, as he informs us, and on the 15th of November presented his completed report, having travelled, enquired, visited, meditated, digested, jotted down roughly the fruits of his labours and researches, sketched out and finally fitted in, clean copied, and as we have said presented his report, all in that short space!!!

The aim of fiction is to represent and imitate truth, but while it is occasionally said to be less strange than its prototype, it will oftenest err on the side of extravagance. The amusing incident in Dickens's first and best work, the immortal *Pickwick Papers*, of the "famous foreign Count" who professes to have gathered "materials for his great work on England"—"history, music, pictures, science, politics, all things!" in *one fortnight*, was of course a caricature of ignorant presumption and so intended to be. But if the author had chanced to have written *nine* instead of *two* weeks, there would, however still absurdly short the term, have been no caricature in the case at all, as it could have been at once paralleled by citing that of Mr. Nicholls' post chaise and *post haste* report!

Those who *do* know Ireland, and have experience of the many problems and time-tangled difficulties of her social and economic condition, will appreciate the *hardihood* at any rate, if not the "Heaven-born statesmanship," of the unhesitating dogmatist who undertook in such brief space to pronounce authoritatively and definitively upon such questions as those contained in the "three parts or principal divisions" into which Sir George Nicholls describes his first report to have been by him divided; specifying those "principal divisions" as follows, viz:

"First, the general result of inquiries into the condition, habits, and feelings of the people, especially with regard to the introduction of a law for the relief of the poor."

"Second, the question whether the workhouse system could with safety and advantage be established in Ireland; and also whether the means for creating an efficient union machinery existed there."

"Third:—*assuming these questions to be answered affirmatively*, the chief points requiring attention in framing a poor law for Ireland were in the last part considered."

We have italicised the first branch of the third of these postulates, because the wording not inaptly sums up the great prevailing characteristic of the whole report. There was "assumption" of facts "assumption" of arguments, and astounding assumption and *presumption* in pronouncing and deciding!

It might be supposed that whether the hurry of the first visit were altogether voluntary or altogether involuntary, or partly the one and partly the other, an ordinary regard for the opinions

of men and for the *bienéances* of life would have induced a speedy return when leisure allowed, and a more prolonged visit to Ireland, to have the appearance at least of revising and correcting the inevitable errors of haste, and adding the fruits of more searching enquiry and maturer study.

Sir George Nicholls *did* visit Ireland again, and on the business of her poor law. But not till the end of the month of August in the next year, and then for the space of *five weeks* ! Early in September he left it, and early in November presented his *second*, and for all practical purposes, his *final* report. It is true there was a third report in the succeeding year, but though nominally having reference to Ireland, it was in reality a report upon the poor law systems of Holland and Belgium, and here too he displayed his Camilla-like celerity; having "done" Holland and Belgium and reported on their manners and customs, social economy, natural and artificial resources and future prospects, in the course of three short weeks !!!

Is it not reasonable to venture here the remark, that there would really have been more of decency in the manner of imposing Poor Laws upon Ireland, if these flying visits and flippant mockeries of enquiry had never taken place at all ! The power as well as the will to impose the legislation in question were absolutely possessed by England. Ireland could make no effective opposition, even if united against its introduction, instead of having not a few of her influential children misled and carried away by its plausibilities and apparent, but most delusive benevolence of spirit. Why not then have boldly established it at once, and not have mocked us in the face of the Empire and of Europe, by forms and preliminaries too transparent to deceive the simplest mind, and most unworthy of the dignity of England herself.

We have now reviewed with briefness, but for the present at least with sufficiency, the *manner* of what we have called Sir George Nicholls' interferences with us. We have properly to treat next of their tone and spirit ; after which we shall go into some of the leading details of their substance.

In his early reports he accuses the Irish people of "filth and indolence," "idleness, fondness for tobacco and whiakey," neglect of their harvests at critical moments for the sake of a "fair, a horse race, a funeral, a fight, a wedding," &c., "recklessness," "fondness for ardent spirits," "no industry nor steadiness, proneness to disorderly conduct and outrage, turbulence, and

insubordination," &c. &c. &c.—*Irish Poor Laws, Reports, pp. 160 see Nicholls' History of Poor Laws.*

The changes are rung over and over again upon these charges throughout his early Reports, and no opportunity is lost for disparaging remark upon the country and its people.

In the work before us, he takes a larger field, and reviews the past history, or what he assumes to be the history of Ireland and her people. With the same fearless and off-hand audacity that he displayed in treating, and at the first glance and first essay, resolving, (to his *own* satisfaction and that of his employers, whatever may have been the case with Ireland, and whatever the consequences to her) the difficult and complicated social problems of her condition, he now takes up, decides upon the most contested points of Ireland's history, and enunciates his opinion and decision with the same imperturbable and magnificent self-conceit!

Having first established in the space of one short sentence the origin of our people, and thus set at rest for ever the speculations, and rendered nugatory the labours of all preceding writers and enquirers on the subject, he proceeds to correct their subsequent errors and similarly lay down the law on other points. We are informed that it is a mistake to suppose that the light of learning in Ireland in early times, which attracted such *crowds* of students from other parts of Europe, was other than "faint and partial," or that its establishments were more than "specks of civilisation," and "oases in the desert of barbarism"!!!

Passing from these "specks" and "oases" he next informs the world that "*it is CERTAIN*" that the Irish were Protestants! Never until the reign and invasion of Henry the II. did they acknowledge the Pope's supremacy, and thus they anticipated by several centuries the establishment of Protestantism in England and in other parts of Europe! There can no longer be any question of the fact on the part of ignorant Papists. Sir George Nicholls has declared it certain that we rejected the Pope and all his works and pomps up to and until four centuries before Martin Luther appeared. The cause is ended—the oracle has spoken!

We are next informed or *instructed* on the same infallible authority, that the four centuries intervening between our apostacy from Protestantism, and the establishment of the latter in

England, were marked by "treachery and murder everywhere prevailing" *amongst the Irish*; and that the English Government "did little towards establishing order and the supremacy of the law". Not a word of what they most effectually did in a contrary direction, nor of their flagrant treacheries towards the native chieftains, and their frequent subornation of murder, and equally frequent commission of it by the director means of mock trials, with iniquitous and barbarous sentences, arranged beforehand and ruthlessly carried out, and whose facilities did not readily present themselves for these judicial enormities, then by the simpler and not more ruthless means of military execution.

After quoting Spenser, (whose sweet poetry can hardly be held to cover as with a cloak, his iniquitous participation in the murderous councils of the savage Lord Grey, and in the plunder and confiscations of the Irish,) as the main authority for his own account of the social condition of Ireland in the reign of Queen Elizabeth, he tells us that the 500,000 acres of confiscated lands in James the First's reign, had sheltered "only robbers and rebels," utterly ignoring all that historians of indisputable credibility have told of the frauds, the falsehoods, and the tyrannous cruelty with which James's scheme of the "Plantation of Ulster," was carried out, and the misery, destitution, and death, thereby inflicted upon hundreds of thousands of unfortunates, without discrimination of age, sex, condition, or good or bad conduct. And in perfect keeping with the character throughout of this (henceforward to be) standard history of Ireland, he revives and endeavors, so far as simple assercion goes, to reintegrate the old exploded calumny of the "*Massacre of 1641*;" the unfaithful and bigoted Clarendon's invention of "the murder of 40 or 50,000 Protestants before suspecting any danger, or being able to provide for their own defence or safety"! Sir George Nicholls has taken no notice of the fact, that the Lords Justices of Ireland, in their despatches of that year, and notably in those of the later months of it, when whatever had occurred must have been fully known to them, make no mention of any such occurrence, although they in no manner spare their expressions of detestation of the Irish who had been driven by persecution to rise in arms in the North, and had undoubtedly plundered and forced English settlers to fly. Lingard, in the Notes to that volume of his laborious and painstaking history which includes the year 1641, thus writes:—

"In the Lords Justices' despatches of October the 25th, 1641, with accompanying documents, (see the Lords' Journals, iv. 12.), there is no mention of any murder. After detailing the rising and plundering by the insurgents, they add: 'This, though much, is *all* that we yet hear is done by them.' In a letter to the Privy Council of November 15th, they thus describe the conduct of the rebels:—'They have seized the houses and estates of almost all the English and *dispossessed them of arms*, and *some* of the English gentlemen they barbarously murdered. They surprised the greater part of a troop of horse of His Majesty's army, and *possessed themselves of their arms*. They apprehended Lord Caulfield, Sir E. Trevor, Sir Charles Poyntz, and a great number of other gentlemen of good quality, and also Lord Blayney's wife and children, and several other ladies and gentlemen *whom they keep prisoners*. In these their assaults of the English in the Northern Counties they have slain many, *robbed* and spoiled *thousands*, reduced men of good estates to nakedness, &c., &c. They *threaten* all the English *to be gone* by a time, or they will destroy them."

On the 25th November, the Lords Justices write: "The English with their wives and children are stripped naked and *banished*."

On December 14th, in the same year, the same authorities write, that when "English and Protestants leave their goods for more safety with any Papists, these are called out by the rebels and the goods taken, and they proclaim that if any Irish harbour the English, it shall be penal to them, and thus *though they put not those English actually to the sword*, yet they do as certainly cut them off *as if* they had done it with the sword."

On the 23rd of December, the same Lords Justices granted a commission to the Protestant Dean of Kildare, and seven other clergymen, to "call before them and examine on oath all such persons as have been robbed and despoiled, and enquire into all the particulars of the robberies committed, and of all traitorous and disloyal speeches, and to examine also all other witnesses that can give evidence of the same." If 200,000, as May says, or 50,000, as Clarendon and others say, were massacred, will not the reader think it strange that the Lords Justices (who must have known the facts from the number of despoiled Protestants who took refuge in Dublin,

if from no other source) should have omitted to extend the enquiry into so bloody a transaction? If we consider the language of these despatches, and recollect who the writers were, and what an interest they had in exaggerating the excesses of the insurgents, we must conclude that no general massacre had been made or attempted."

In January, 1643, more than a year later, when the importance and advantage (for ulterior designs and confiscations) of getting up a case against the Irish Papists had been more studied, a commission was issued to enquire into "what lands had been seized, what murders committed by the rebels, and what numbers of English had perished on their way to Dublin or elsewhere." Had there been a massacre it surely would have been specially mentioned and priority given to it over the "*seizure of lands*." The Commissioners reported in 1644, and the Protestant writer, Warner, after a diligent inspection, observed that "*in infinitely the greater number of the depositions the words 'being duly sworn', have the pen drawn through them with the same ink the examinations were written with, and in several where those words remain, many parts of the examinations are crossed out.*"

The Commissioners themselves could not by *any* means deduce from the evidence a higher estimate of persons thus killed or perishing, than 2,109 *in the two years 1641 and 1642*, and even this estimate was glaringly open to suspicion, from the undoubted desire of the Government of the day to swell the amount as much as at all possible, and the natural and *stimulated* bias of the Commissioners in the same direction.

Dr. Lingard, says in conclusion, "I shall not lengthen this note by narrating the recriminations of the Irish. That they suffered as much as they inflicted, cannot be doubted."

We have thought it necessary to delay upon this point because it, more than any other, illustrates the tone and character of Sir George Nicholls' lucubrations upon Ireland. What necessity was he under to touch upon subjects of such bitterness? What relevance had or have they to Poor Laws? And if the slightest connexion *did* exist, should he not have informed himself of the facts, and "heard the other side," before treating the politico-sectarian *lie* of the massacre of Protestants in 1641 as an established atrocity and an established stain upon the fame and name of the Irish Catholics? From no Catholic source, but from the mouths or *pens* of the anti-Catholic Lords Justices

of the time themselves. Lingard convicts the propagators of the story of gross falsehood, and this without one single word of quotation from the writings and testimonies of Catholics, either of that time or at any subsequent period.

What a legislator for Ireland, who, deciding the most difficult problems of her social state on the materials collected by him in a nine weeks posting tour,—revising and confirming his labors in a subsequent trip of *five weeks*,—now makes the occasion of reviewing them one for offering wanton insult, and at the expense of the truth of history, to the political and religious feelings and prepossessions of the people unhappily subjected to his experiments !

Proceeding onwards with his wonted rapidity, he notices Cromwell's visitation of Ireland, but with no word of regret for his slaughters, whether of the gallant Anglo-Irish garrison of Drogheda, or of the 300 helpless women and children round the market-cross of Wexford. According to him they were merely part of a "stern retribution" for the "atrocities" of the apocryphal "massacre of 1641." In the next paragraph he jumps to the rebellion of 1798, which allowing to be "doubtless lamentable," he yet says was "*not without its use, as it helped to establish the legislative union*" !! Truth at last ! It *did* so help, it was so *intended* when it was *got up* by the government of the day. But for its distraction and horrors they could not have overmastered the independent spirit of Ireland. They therefore allowed it to grow up towards maturity, fostering it by their secret agents and the open license of oppression, plunder, and torture of the people, and availed themselves of it as a pretext to crush discussion and all constitutional opposition to their measure of the union, which it thus did (as Sir George Nicholls congratulates himself) help, and that most potently "to carry" !

Ample illustration now has been furnished of the tone and spirit of our heaven-born legislator, and we proceed to the third division of our subject, the nature and working of his interferences.

This, which is of course the one requiring the longest delay, is reviewed by him at considerable length, and with a kind of prefatory introduction of a double kind, including as it does not only the topics on which we have just been commenting, but also a sketch of the history of legislation for Irish pauperism, from early times down to the period when he undertook the care and charge of us.

By what the opponents of Poor Laws—a larger class than is at all supposed, and one steadily recruiting its numbers with former supporters and advocates of those laws who have been disabused by bitter experience, and are now heartily repentant—by what this class of politicians delight in considering an inevitable fatality, Sir George Nicholls, like all other writers upon Poor Laws, is compelled, in tracing their course up to its origin, to remount to statutes of a restrictive and penal character. Occasionally, indeed, a benevolent mind in the warmth of enthusiasm for Poor Laws, will be found to revolt against the ascribing of such parentage to them, and will eagerly set about endeavoring to trace out a higher and nobler descent for its favorite legislation. But on the slightest enquiry the chain is seen to be too direct, and the succession too obviously continuous, for a negative long to be maintained, and those who tried to do so have in the end to acquiesce as readily and as completely, though doubtless not quite so heartily, as we do ourselves, in the unpopular derivation.

That Poor Laws in England originated in a repressive and penal spirit towards the people, is a fact attested by every writer who has touched upon them, not only in our own times, but ever since the earliest period that they have been made the subject of historic enquiry and discussion. The English Commissioners of Poor Law Enquiry, in their Report of the year 1833, only re-echoed the multiplied previous declarations of others when they expressed the opinion that “the great object of early pauper legislation seems to have been the repression of vagrancy.” The feudal lords sought to restrain their vassals from flying to corporate towns to escape from thralldom, and find protection under the municipal privileges of those towns. To remedy this the “*statute of laborers*” was passed; it was a statute whereby not only the personal liberty of the agricultural population was put under severe restraints, but the further restrictive measure of definitely settling and fixing the amount of wages they were to be paid for their labor was enacted. The better political economy of the present day, drilled and *driven* into the legislative mind by the bitter experience of a thousand failures, proclaims the certain inefficacy of all such legislation, but for a very long time the doctrine held in respect of it was the same so much in favour with the dispensers of *Holloway's* celebrated pills—that the cases of failure were not to be ascribed to any fault of the medicine, but

simply to *not having taken enough*. And the remedy in either case was the same—to keep on increasing the dose so long as the patient could be got to swallow it !

Upon this principle the Parliaments of Edward the Third passed act after act for the purpose, and in the vain hope of enforcing effectively and generally the objects of the “statute of laborers.” But the complaints in Parliament in 1376 and 1378, and succeeding years, of the escape of vassals to the corporate towns, where they found refuge and harbouring, made patent the fact of failure. That iniquitous statute was found, like all similar legislative quackeries, inoperative, save in rare and partial instances, for the purpose for which it was intended ; but at the same time copiously productive of misery to the general people.

The reign of Richard the Second, and the succeeding reigns, present a long lists of acts more or less restrictive of personal liberty, and more or less interfering with industry. The natural consequence of this unholy crusade of the rich against the poor followed—the lower classes, met at every step by searching and grinding tyranny, either gave up, or were forced greatly to relax, their exertions for subsistence, and the land was crowded with the destitute and the discontented. Then the harsh and despotic spirit which dictated these ruinous restrictions got full scope, and vagrancy was punished by laws of which it has been well said, that, “with the single exception of scalping, they equalled the worst atrocities ever practised by the North American Indians upon their prisoners.”* Lashing “until the body be bloody,” boring with a hot iron, “the compass of an inch through the gristle of the ear,” branding “in the face and on the shoulder,” “cropping the ears,” “chaining,” “slavery for two years,” and in case of attempts to escape, “slavery for life” and “death as a felon”—these were the mild and paternal methods of treating the poorer classes that marked the earlier history of Poor Laws, and that indeed continued, with not very extensive modifications, to disgrace the statute book until a period not remote from our own time.

The monasteries, whose charitable largesses had, in not a little degree, counterbalanced the more shocking effects of this legislation, by affording subsistence to multitudes who must have otherwise plundered or perished of inanition, were, as every body knows, suppressed in the reign of Henry the VIII. ; and the

* Sir Frederic Morton Eden's “History of the Poor,” Vol. I.

great fountains of charity being thus sealed up, while the restrictive laws before mentioned were left to continue their cruel operation, it became absolutely necessary for the security of property and stability of society itself, to supply for their enforced default by contributions from the general community.

"Charity *by Act of Parliament*" thus began, and at first with no greater development than the concession of a licence to beg within certain limits of the pauper's place of abode. The first step beyond this was taken by the 27th Henry VIII. chapter 25, passed in 1536, which added provisions making it incumbent on the head officers of every city, town, shire, and parish to exert themselves to procure the means of support for the impotent, and of labor for the able bodied. Voluntary alms were to be collected by the officials for these purposes; and the clergy were called upon to exhort their flocks to charity. Alms-giving, otherwise than in the form of contributions to the common box of the Parish, was forbidden under forfeiture of ten times the amount. The humane clauses of former acts relative to flogging, cropping the ear, and putting to a felon's death, were re-enacted for the benefit of what were denominated "sturdy beggars!"

The 1st Edward VI. c. 3, passed in 1547, recites that "partly by *foolish pity and mercy* of them which should have seen the aforesaid goodly laws executed, and partly from the perverse nature and long accustomed idleness of the persons given to loitering, the said goodly statutes have had small effect; the idle and vagabond persons being unprofitable members, or rather enemies, of the common-wealth, have been suffered to remain and increase, and yet so do." It, therefore, enacts that able bodied persons who do not apply to honest labor, or offer to serve even for meat and drink, shall be branded with the letter V on the shoulder, and be adjudged a slave for two years, to any person who shall demand him; and shall be fed on bread and water, and kept to work by beating, chaining, &c., &c.! Runaways to be made slaves for life, and to be further branded on the cheek, and where incorrigible, to suffer death!

There were modifications and alterations of this statute of various kinds until 1551, when the 5th & 6th Edward VI., c. 2, was passed, afterwards repeated *verbatim* by the 2nd and 3rd Philip and Mary, c. 5, (1555) preserving all the chaining and beating provisions; and enacting that certain collectors should

their sufferings? Can it be possible—we fear it *is* possible, and that the proof of its being not only possible, but *the fact* is given in this as in many other passages by himself—that in his estimate of things necessary for the “complete assimilation of the Irish with their fellow subjects,” he never took into account at all the cessation of proconsular tyrannies and of persecutions because of creed or race, and the establishment of equality of privileges and rights!

It would be idle to endeavor to follow him step by step in what he professes to consider his “earlier history of poor laws in Ireland.” It is not easy to perceive what kind or degree whatever of connexion there can be between poor laws and the following legislation cited and reviewed by him from page 16 to page 21, viz:—An ordinance by statute of Edward IV. passed in 1465, to the effect that “in every *English town* of Ireland where no other president is, there be chosen by his neighbours, or by the lord of the said town, one constable to be governor or president thereof.” A statute of the year 1472, enacting that “no grain be laded out of Ireland to parts without, if one peck of the said grain exceed the price of tenpence.”—the statute of the tenth year of Henry the Seventh, chapter, 4, (passed in 1495,) known as “Poynings’ Law” because passed at the instance of the then lord deputy of Ireland, Sir Edward Poynings, whereby it was directed “that no parliaments be held in Ireland until the acts (*bills*) be first certified into England and be thence returned with the sanction of the King in Council, expressed under the great seal”—two other acts of the same year, (chapters 6 and 17) the one forbidding any “lord or gentleman of the land to have any retainers save his baylifs, steward, *learned counsel, and menial servants*,”—the other forbidding any “peace or war within the land, without the lieutenant or lord deputys’ licence”—and two acts of Henry the 8th, in the 13th and 25th years of his reign, (1522 and 1534,) against stack and rick-burning and the payment of harvest-labor in kind.

At length, however, he begins to feel bottom under him when he reaches the year 1542, in which the act 33 *Henry VIII.* chapter 9, announces in its preamble that “prices of victuals, cloth, and other necessities for labourers, servants at husbandry and artificers, yearly change, as well sometimes by reason of dearth and scarceness of corn and victual as otherwise, so that hard it is to limit in certain what wages servants at husbandry should take by the year, and other artificers and laborers by the day, by reason whereof they now ask *and take* unreasonable

wages within the land of Ireland." Upon these premises the act goes on to empower and order the regulation of wages at a yearly session of Justices of the Peace in each county. An "act for vagabonds" shortly followed, reciting the English act 22nd Henry VIII. c. 15, whereby "it was enacted and ordered how aged, poor, and impotent persons compelled to live by *alms* should be ordered, and how vagabonds, and mighty strong beggars should be punished," and declaring "that the same act and all and every article and provision and thing comprised within the same, should be law within this land of Ireland, according to the tenor and purport of the same."

Sir George Nicholls loses some more time with acts of the reigns of Elizabeth and James the First, which, save in the circumstance of the similarity of their arbitrary, crotchety, and we may add unfeeling character, have really nothing akin or relevant to his subject. Coming down at last to the reign of Charles the First, the fore-shadowings of Poor Laws recommence with the statute 10th and 11th Charles I. c. 4, "an act for the erecting of houses of correction" provided with "mills, working cards, and other necessary implements, to set rogues and *other idle persons* on work &c. &c." The "*other idle persons*" here spoken of are, in a special section, described to be as follows:—

"All persons calling themselves *scholars* going about begging; all idle persons going about either begging or using any subtle craft, or unlawful games, or feigning to have knowledge in *physiognomy*, or palmistry, or that they can tell destinies, or such other like phantastical imaginations, or who utter themselves to be *proctors* (!) procurers, patent gatherers, or collectors for gaols or hospitals;—all fencers, bearwards, common players, and minstrels, jugglers, wanderers, and able-bodied common laborers loitering and refusing *reasonable wages*." &c. &c. &c.

We broke off our brief review of the history of Poor Laws in England (a review made, we take this opportunity of stating, without any reference whatever to, and indeed without having up to this present moment even once opened Sir George Nicholls' treatise on the *English Poor Laws* and their history, but taken from the sounder authorities of Sir Frederic Morton Eden, the Government Commissions, and Parliamentary Committees of Enquiry long previous to his rising above the horizon) at the period of their compulsory establishment in that country during the reign of Queen Elizabeth. No further parallel can of

course be drawn between their progress and that of Irish Poor Laws, until we come to the similar period in the history of the latter, viz., the period 1839-41.

In the next step of our progress thitherward we have again to leave our author wandering through several pages of really irrelevant matter, and to come by a jump to the reign of Queen Anne, when the statute 2d Anne, chap. 19 (1703,) was passed "for erecting a workhouse in the City of Dublin for employing and maintaining the poor thereof." As usual the "poor" are jumbled up in this act with vagabonds and rogues, and treated alike. To defray the cost of working it and maintaining the inmates of the workhouse, various expedients are resorted to—the honor of being constituted a "governor and guardian" being held out to induce fifty-pound donations, and a power is given for granting hackney carriage licences for coaches and "sedans," each licence to be charged with five pounds fine and forty-shillings annual payment towards the support of the workhouse. Finally a *compulsory rate* of three-pence in the pound is charged on every house within the city and liberties of Dublin for the same purpose, to be levied in the same way as "Ministers' money." This act was amended and extended in its chief provisions by the statute 1st George II. chap. 27, passed in 1728.

At pages 43-45 Sir George Nicholls, in dealing with the act 9th George II. chap. 25, similar in its scope and provisions to the 2nd. of Anne, save that it was for the establishment of a workhouse in *Cork*, and that there was a kind of hotch-potch-clause in it for rebuilding the Cathedral of St. Finbar in that city, details how these institutions gradually were narrowed down to the single object of receiving foundlings, in short became Foundling Hospitals; the 11th and 12th George III. chap. 11, at length legislatively confining them to the latter object, and packing off "*vagabonds and beggars*" to Bridewell. As all experience, home and foreign, in the history of such Institutions has been found to prove, the pressure upon them kept continually increasing more and more, children being deserted according as improvements as to the arrangement and maintenance of children within them happened to progress, and the compulsory rate, notwithstanding the check of limiting the age of admission to under three years, had in 1772 to be doubled, that is to be made 6d. instead of 3d. in the pound, and in the following year to be raised to *tenpence* in the pound.

We will not delay to remark upon Sir George Nicholls' fault-finding with the wretched Roman Catholic parents of many of these unfortunates for their "unreasoning inconsistency" as he phrases it, or "improper interference" as the Cork workhouse Act denominates it, in "making it a point of conscience (again we quote *our own* Nicholls,) to hinder their children being brought up in the religion of their protectors," an inconsistency or "improper interference" against which the Cork Act provides by the humane and *tolerant* expedient of empowering the governors of the workhouses of Cork and Dublin *to exchange the children* maintained therein, "whenever such interchange shall be agreed on by the respective governors." Nor need we tarry to admire the gentle hesitation with which he (not often so modest and self-distrusting,)

"Just hints a fault and hesitates dislike,"

of the principle on which Foundling Hospitals existed—a principle the extreme unsoundness of which has long been condemned by public opinion in these countries, and exposed and repudiated by statesmen. In Ireland its abandonment was hastened by the horrible discovery, distinctly and irrefragably traced out and proved, of a young lad having come to be married *to his own mother*! We proceed with his "history," taking him up again at page 51, just after he has cited the 11th and 12th George III. chap. 15, extending similar legislation to other cities, besides Dublin and Cork, and the 13th and 14th of the same king, chap. 24, which extended it to all parishes throughout Ireland, civic or rural. Our author here says:—

These acts taken together make provision for the support of exposed and deserted children of tender age in every parish in Ireland, by means of a compulsory assessment.....in fact a limited relief of the poor, or a restricted kind of poor law, the children being in almost every instance the offspring of parents too poor to rear and maintain them, whence, as was the case in England, the parish of necessity (?) becomes responsible for the performance of these duties, and stands in *loco parentis*. After thus legislating for one class of the destitute and recognising the principle of compulsory assessment, it seems remarkable that nothing further was done in the way of establishing a regular system of relief for the destitute of every class, especially as vestries were now being organised and overseers appointed in all the parishes of Ireland. Perhaps an act passed about the same time, and to which we will now turn, may serve to explain this omission, as it attempts to effect the object circuitously and by indirect means, instead of openly charging property for the relief of destitution.

The 11th & 12th George the 3rd, chapter 50, is entitled "An Act for *badging* such poor as shall be found unable to support themselves by labor and otherwise providing for them, and for restraining such as shall be found able to support themselves by labour or industry from begging." It commences as follows: "Whereas strolling beggars are very numerous in this kingdom, and whereas it is equally necessary to give countenance and assistance to those poor who shall be found disabled by old age or infirmities to earn their living, and to restrain and punish those who may be able to support themselves by labour or industry, and yet may choose to live in idleness by begging; and it is just to call upon the humane and affluent to contribute to the support of real objects of charity; and whereas those purposes may be better affected by one law than by many laws tending to the same purpose"—it is enacted that the 33rd Henry 8th cap. 15, and the 10th and 11th Charles 1st, cap. 4, be repealed.*

The Act then proceeds—"And whereas the good purposes intended by this act are most likely to be promoted by creating corporations in every county at large, and in every county of a city or town in this kingdom, who may execute the powers and trusts hereinafter expressed"—it is enacted that such corporations be established accordingly, consisting in counties of the archbishop or bishop, the county members, and the justices of peace, and in counties of a city or town, of the chief magistrate, sheriffs, recorders, members of parliament, and justice of peace. Every such corporation is to be called, "The president and assistants instituted for the relief of the poor, and for punishing vagabonds and sturdy beggars," of the county, city, or town, as the case may be, and is to have a common seal, and to hold meetings at which the bishop when present is to preside, and to make bye laws and appoint standing committees, and is likewise empowered to elect such other persons as shall be thought fit, including those who contribute any sum not less than £20, or subscribe annually not less than £3, to the charitable purposes of the corporation to be members thereof respectively. The corporations are authorised to accept donations, and to take or purchase lands and tenements not exceeding £500 annual value, and to hold leases for terms not exceeding 21 years, and may also take by grant or devise any quantity of land in a city or town not exceeding two roods, and in the open country not exceeding twenty acres, "for the sites of houses to be built for the reception of the helpless poor, and for keeping in restraint sturdy beggars and vagabonds."

The corporations, constituted as above, are empowered to grant '*badges*' to such of the helpless poor as have resided one year in their respective counties, cities, or towns, with a licence to beg within such limits for such time as may be thought fit; and are also empowered to appoint certain of the justices to grant "*badges*" and licences likewise—"specifying the names and places of birth and the character of the persons so licensed, and the causes, as nearly as may be collected, of their poverty, and whether reduced to that state by sickness or misfortune."

* Ante. pp. 22 and 28.

The said corporations are moreover, as soon as they possess sufficient funds, to build hospitals to be called ^{Houses of Industry or Work-} workhouses or houses of industry for the relief of the poor, in their respective counties, "as plain, as durable, and at as moderate expense as may be;" which hospitals are to be divided into four parts, one for such poor helpless men, and one other for such poor helpless women as shall be judged worthy of admission; a third for the reception of men able to labour and committed as vagabonds or sturdy beggars; and the fourth for idle, strolling, and disorderly women, committed to the hospital and found fit for labour. Every man above the age of fifteen found begging without a licence and not wearing a badge, is to be committed to the stocks for any time not exceeding ^{Persons beg-} three hours for the first offence, and six hours for every subsequent offence; and old persevering offenders may be indicted at the sessions, and if convicted are to suffer imprisonment not exceeding two months; after which, if they again offend, they may be publicly whipped, and be again imprisoned for four months, and so on continually for every subsequent offence. Every female found begging without a licence and badge, may be confined in any place appointed for that purpose, not exceeding three hours for the first offence, and for every subsequent offence not exceeding six hours; and every old and persevering offender is, as in the case of the men, to be proceeded against at the sessions; and in order that these directions may be carried into effect, the corporations are empowered to appoint "such and so many persons as they shall think fit, at reasonable salaries, to seize and arrest all such persons whom they shall find begging without such licence and badge, and carry them before the next justice, who may commit the party to the stocks or otherwise as aforesaid." Justices are moreover empowered on their own view, to cause such persons to be seized and dealt with as is above directed for every first and subsequent offence.

Whenever a poor person deemed worthy of having a licence to beg, has one or more children under the age of ten years not apprenticed or otherwise provided for, ^{Poor children to be provided for} the age and number of such children are to be inserted in the licence, by the person applied to in such case, or he may "at his or their election take such and so many of them as he or they shall think fit ~~from the parent~~, and convey such child or children to the committee of that county, city or town, and insert the names of the rest in the parents' licence. If any fatherless or deserted poor children under eight years of age are found strolling or begging, they are to be conveyed to the committee of the particular county, city or town, to be placed in such charter school or nursery as will receive them when under eight, and the rest to be apprenticed. The committees are required to keep up a correspondence with the Protestant Charter Schools Society,* that they may be informed from time to time when there is accommodation for poor children, in order that all poor children may as much as possible be prevented from strolling, and may be put to trades or to industry."

* Ante, p. 25.

As soon as the houses of industry are provided and furnished for the purpose, the corporations are to place therein so many vagrants, sturdy beggars, and vagabonds, and so many helpless poor as their funds admit of; and they are authorised to "require and seize every ^{strolling vagrant capable of labour who hath no place of abode, and who doth not live by his or her labour or industry, and every person above the age of fifteen who shall beg publicly without a licence or badge, and every strolling prostitute capable of labour, and to commit the said persons to the divisions allotted for them respectively in the said houses, and there to keep them to hard labour, and compel them to work, maintaining them properly," and inflicting reasonable punishment when necessary, for the periods named in the Act, varying from two months to four years.}

In order to furnish some revenues for the said corporations at the outset, the grand juries are required to present ^{Money to be provided by Grand Jury Presentments.} annually at every spring assizes in every county of a city or town, to be raised off the lands and houses equally and rateably, any sum not less than £100 nor more than £200, and in every county at large not less than £200, nor more than £400, to be assessed and collected as other county taxes are, and paid to the corporations respectively, without fee or deduction whatever, for the charitable purpose of the Act. All rectors, vicars, and incumbents of parishes, are required likewise to permit such clergymen as the respective corporations may appoint to preach sermons in their churches annually, and to permit collections to be made for the objects contemplated by the Act.

We here see that provision has been made, partly by compulsory assessment, partly by voluntary contributions, and through the instrumentality of corporations especially appointed for the badging and licensing of the poor to beg, for providing hospitals, workhouses, or houses of industry in every county at large and county of a city or town—for separately confining therein able-bodied vagabonds and disorderly women who are to be kept to hard labour—and for the maintenance therein of poor helpless men and women. Authority is likewise given to seize any one begging without a badge or licence, and to send such as are above fifteen to the house of industry for punishment, whilst the children are to be placed at school or put out on trade or service, and finally, persons are appointed at reasonable salaries to carry these enactments against unlicensed begging into effect."

Thus we see that Pauper Legislation in Ireland, with that tendency ever marking such legislation to go hunting after and to adopt at once, when found, any and every shift and expedient that presents itself no matter how discredited by experience elsewhere, had recourse in 1771, to the exploded *crotchets* of the 16th century in England. Licences and badges, entitling those possessed of them to the high privilege of *begging*, are provided for the "*deserving*" poor, and imprisonments,

hard labor, and corporeal punishment, for those whom the local authorities should adjudge to be fit but unwilling to work. No reservation in the latter case seems to have been made in favor of the able-bodied who *could not find* work. To the more antiquated English crotchets was superadded the Irish one of Charles the First's reign, constituting foundling hospitals, and the ends of proselytism were sought to be advanced by classes disposing not only of foundling children at the will of the governors and managers of the workhouses, &c., (all necessarily Protestants), but giving power forcibly to take away from even the licensed and badged beggars such and so many of their children as the local authorities should desire, and to put them in the long notorious "Charter-schools," there to be brought up as "true Protestants."

Our author now comes down to the Legislative Union, and with the same oracular enunciation which gives such dignity to all his other solemn *dicta*, expresses his high approval of that measure—an approval which doubtless for ever concludes all controversy on the subject! He then proceeds to notice,

certain acts passed subsequent to the union, which it will be requisite to notice, as they shew the views of the now united Parliament in regard to Ireland and the relief of the Irish poor, and form also a necessary introduction to the more important measure of 1838.

The first of these acts is the 41st Geo. 3, cap. 73, which directs the application of certain sums of money granted by Parliament to the Dublin Society and the Farming Societies—namely £4,500 Irish, to the first towards completing their repository in Hawkins'-street, and the botanic garden at Glasnevin, and £2,000 towards the purposes of the farming societies for the present year. . . . The 45th Geo. 3, cap. 111 recites that whereas the distance of many parts of each county from its infirmary, does not allow the poor of those parts the advantage of immediate medical aid, it is enacted that where the governors of the county infirmary certify to the grand jury that they have received from private subscription any sum for establishing a dispensary, the grand jury may raise from the county at large an equal sum for the purpose The 46 Geo. III., cap. 95, entitled "an Act for the more effectually providing for the relief of the poor and the management of infirmaries and hospitals." It directs, among other things, that with sanction of the going judges of assize, grand juries may present and levy from 4 to £700 towards building &c., houses of industry. . . . In 1809 the 49 Geo. III. c. 101, enacted that the lord lieutenant might appoint nine commissioners for ascertaining the extent of such bogs as exceed 500 acres, and the practicability, mode, and expense of draining them, &c., &c., with a view to providing employment for the people, and "securing a supply of flax and

hemp for the linen manufacture and the use of the navy," &c., &c., (pp. 73-76.)

The 54th Geo. III. c. 112, empowered grand juries to present for fever hospitals, and the 58th Geo. III. cap. 47, enlarged the provisions of the preceding act, and made "other regulations for relief of the suffering poor." The 59 Geo. III. cap 41, followed, appointing officers of health to carry out these and other sanitary measures, and meantime the 57 Geo. III. cap. 106, empowered the lord lieutenant to order the erection of lunatic asylums. (pp. 77-80.)

"The year 1822 was a period of much distress in Ireland, and the 3 Geo. IV. chapters 3 and 84, were passed empowering the lord lieutenant to order advances from the public Treasury in certain cases, anticipatory of grand jury presentments for the employment of the poor; and further advances (beyond the amount of such presentments) for extraordinary expenses for the same object In 1825 the 6 Geo. IV. chapter 102, levied £5 on every parish where a deserted child was found, for the maintenance of that child—being the first act to give a legislative sanction to the rating of a parish for the relief of a destitute class found therein. (p. 80.)

Having thus enumerated all the acts actually passed previous to 1838, in any degree paving the way for a formal and regular legislative provision for the poor, and partaking in more or less degree of the nature of poor laws, our author proceeds to treat of the reports of committees on the state, &c., of the Irish poor in the interval between the Union and the year above mentioned.

In 1804 a committee specially appointed to make enquiry "respecting poor in Ireland," resolved that, "the adoption of a general system of provision for the poor in Ireland, by way of parish-rate as in England or in any similar manner, would be highly injurious to that country, and would not produce any real or permanent advantage even to the lower class who must be its objects."—And they further resolved that the acts for establishing houses of industry, &c., &c., had only been very partially complied with—and after dealing with a few other matters, concluded their report by recommending that the very important objects referred to them should be taken up again in the ensuing session; which was not however done." (pp. 82-83.)

In 1819 a committee, of which Sir John Newport was chairman, was appointed to enquire into the state of disease and also into the condition of the labouring poor of Ireland They "considered the prevalence of contagious fever a calamitous indication of general distress," and in order to "prevent the migration of large bodies of mendicants pressed by want, who fatally contributed to the general diffusion of disease," they recommend that magistrates, churchwardens, &c., "be empowered to remove out of their respective parishes any persons found begging or wandering as vagabonds; or to confine such persons to hard labour for 24 hours, or adopt both measures; and to cause their persons and clothes to be washed and cleansed." . . . The

committee then express their intention of proceeding to enquire into the practicability of ameliorating the condition of the labouring poor, "by facilitating the application of the funds of private individuals and associations for their employment in useful and productive labour." Their enquiries under this head were particularly directed towards agriculture and the fisheries, as being the two most important departments of labour, and as those "which are capable of the greatest extension without hazarding re-action." They consider the report of the Bog-commission to prove "the immense amount of land easily reclaimable and convertible to the production of grain almost without limit"—whilst "the small extent to which the commissioners' recommendations have been acted upon, demonstrates lamentably that want of capital which in Ireland unnerves all effort for improvement."

In 1823 another committee, with the present Lord Monteagle as chairman, was appointed "to enquire into the condition of the labouring poor in Ireland, with a view to facilitate the application of funds of private individuals and associations for employment of the poor in useful and productive labour." They recommended "the encouragement of the fisheries, erection of piers, formation of harbours, and opening of mountain roads." In conclusion, admitting the danger attending all interferences with industrial pursuits, which prosper best when left to their own natural development, they yet consider that the state of Ireland constituted her an exception to the general rule, and that the aid of Government in support of local effort was there *absolutely necessary*. (pp. 86-95.)

At the end of seven years—in 1830—another committee was appointed to "take into consideration the state of the poorer classes in Ireland and the best means of improving their condition," and they made a very elaborate and comprehensive report. They estimated the unemployed at from one-fifth to one-fourth of the population, and said that this fact, combined with the system of managing land, "produced misery and suffering which no language could adequately describe:" "where the increase of the population of a country proceeds in a greater ratio than the increase of her wealth (they observe) an increase of distress among the poor may be concurrent with an augmentation of national wealth," and this they considered to be the case of Ireland. Considering it impossible correctly to estimate the condition of the poorer classes without looking into the nature of the relations between landlord and tenant, they give great attention to this part of the subject. After describing the state of those relations and the causes of the evils marking them, and of the state of distress of the "ejected" tenantry, they went on to recommend as remedial measures, "emigration, the improvement of bogs and waste lands, embankment and drainage of marsh-lands, prosecution of public works on a large scale, education of the people not only in elementary knowledge, but habits of industry, encouragement of manufactures, extension of the fisheries, and lastly, the introduction of a system of poor-laws, either on the English or Scotch principles, or so modified as to be adapted to the peculiar circumstances of Ireland." (pp. 95-106.)

We have been compelled by the limits of our space very greatly to condense the foregoing historic detail by Sir George Nicholls, preparatory to his full discussion of the existing poor laws of Ireland. The same considerations induce us to pass over the pages in which he makes mention of the commissions of education, and the proceedings and legislation in reference to it, and to be very brief in noticing his review of the proceedings of the Irish poor-law commission of 1833, appointed "to enquire into the condition of the poorer classes in Ireland, and into the various institutions at present established by law for their relief, and also whether any and what further remedial measures appear to be requisite to ameliorate the condition of the Irish poor." These commissioners made three reports, one in July, 1835, "on the modes in which the destitute classes in Ireland were supported, the extent and efficiency of those modes, and their effect upon those who give, and those who receive relief;"—the second report, in 1836, "on that part of the enquiry which respects the various institutions at present established for the relief of the poor;"—and the third and final report in the latter part of the same year, embodying the conclusions they had come to. These began with a repudiation of the workhouse system as wholly unsuited to Ireland; and after expressing great doubt of any species of labor-rate, recommended public works to employ the redundant laboring population, and emigration as a safety-valve when the pressure became excessive. A "Board of improvement" was to preside over these public works, and to cause surveys, valuations, &c., to be made throughout the country—to enforce drainage, fencing, the removal of nuisances, including wretched cabins, whose occupants were to be provided for elsewhere partly at the landlord's expense—agricultural schools, leases of thirty-one years, charges on property for permanent improvements, &c., &c.,—and finally a legal provision for incurables, lunatics, idiots, deaf, dumb, and blind poor, within the walls of public institutions, and increase of hospitals, &c. The necessary funds to be provided in part through a national rate, in part by private associations recognized and aided by the government—"the plan of such voluntary associations to be tried in the *first* instance,"—and the subsequent rate if necessary, to be charged on the land in the first instance, and afterwards on personal property.

With many and overweening professions of respect and high

consideration for these commissioners personally and collectively, Sir George Nicholls treats their reports and recommendations with very thinly disguised contempt, and immediately proceeds to contrast them with his own "*suggestions*" for an Irish poor law, made by him so early as January, 1836, at the instance of Lord John Russell, and made therefore long previous to his first brief visitation of this country. Of these "*suggestions*," our author says, (page 130,) that "on perusing them now (1856) after so long an interval, he finds little to alter in what he then ventured to suggest." As their main points were embodied in his subsequent legislation, it is not necessary to give them a separate review.

We now come to that legislation itself, and its history up to the present time. At page 222, and from that to page 234, the reader will find an analysis of the provisions of the original act, the 1st and 2nd Victoria, cap. 56, "for the more effectual relief of the poor in Ireland," and its first emendation by the 2nd Victoria, cap. 1. passed in March, 1839. At page 291 is the next emendatory or "extension" act, 6 and 7 Vict. cap. 92—at page 330, to page 335, three additional acts passed in 1847; four short acts dealing with details, in 1848 and 1849, mention of which will be found from page 354 to 357, particularly of the last of them, called the "Rate-in-Aid" act—the 12th and 13th Victoria, cap. 104, (at page 367,) "to further amend the acts for the relief of the destitute poor in Ireland," (chiefly facilitating emigration,)—the 13th and 14th Vict. c. 14, regulating advances to unions, at page 374—and the 14th and 15th Vict. chapter 68, regulating medical charities, at pages 382-3.

To enable our readers to judge for themselves whether the results of all this legislation have been such as to warrant the self-congratulations of its author, we proceed to set out in due order of succession his promises and vaticinations, together with of course, the received and established statements and facts, official and otherwise connected with the operation of his poor-law.

In his First Report, *November*, 1837, he writes as follows:—

Mendicancy and indiscriminate almsgiving have produced in Ireland results similar to what indiscriminate relief under her old poor-law produced in England—the like reckless disregard of the future, the like idle and disorderly conduct, the same proneness to outrage having then characterized the English pauper-labourer which are now too generally the characteristics of the Irish peasant In the one case the new poor-law is rapidly effecting a remedy.—The corrective for both will, I believe, be found to be essentially the same.

The mendicant in Ireland has now, (1836,) precedence over every one else. If the whole property of Ireland were rated to the relief of the poor, the cost would be no more, but in such case the charge would be *equally* borne, whereas at present it is unequal The feelings of charity and gratitude which it is delightful to contemplate as the motive and fruit of benevolent actions, can only exist between individuals (!) It matters not whether the fund to be distributed has been raised by voluntary or legal assessment, or whether devised for purposes of general charity. The application is in each case *a trust*; it is so distributed and received as a *right*, not a gift.

At present the burthen falls almost exclusively upon the lower classes, while the higher generally escape. Poor-laws similar in principle to the English system would go far to remedy this inequality. Such a measure would connect the interest of landlord and tenant, and so benefit both, and promote general peace and prosperity. The desire now so general for a full participation in English laws, and English institutions, will dispose the Irish to receive with alacrity any measure tending to put them on the same footing as their English fellow-subjects (!)

A poor-law in Ireland would help the country through the transition from the system of small holdings, con-acre and the sub-divisions of land, to the better practice of day-labour for wages and dependence on daily labour for support.

A legal provision for the destitute is moreover an indispensable preliminary to the suppression of mendicacy. If the state offer an alternative, it may prohibit begging.

Much of the waste land of Ireland is susceptible of cultivation, and the order and security which a poor-law would tend to establish, will encourage the application of capital to such objects.

It appears then, I think, that a poor-law is necessary as a *first* step towards bringing about improvement in the habits and social condition of the people. IN TRUTH *the reclamation of bogs and wastes—THE ESTABLISHMENT OF FISHERIES AND MANUFACTURES—Improvements in Agriculture and the general condition of the country,—and lastly, THE ELEVATION OF THE IRISH PEOPLE IN THE SOCIAL SCALE, appear ALL CONTINGENT UPON ESTABLISHING A POOR LAW !!!*—*Report of 1836.*

The most superficial observer of the present state of Ireland—now twenty years after the foregoing predictions were given to the admiring public of these kingdoms—will be able to estimate their miserable want of value. The mendicancy that was to be suppressed or to disappear of itself, is as rife as ever, nay in the opinion of many, is *more* rife along our streets and our roads than ever. The burthen of relief of the poor which as this pompous and egotistical and emptiest of theorists, informed us, was to be lightened to the poorer classes, and more equally shared by the higher, is heavier upon the former than ever. Formerly they had to give, and they gave in obedience to the duty positively inculcated upon them by their religion. Now

they have, *in addition*, to pay the legal assessment. We say deliberately, *in addition*;—for the latter payments by no means are held by them to remit the former. The poor-law collector's receipt is not considered by them a discharge from charitable obligations, and over and beyond what it has drawn from them by the force of a human law, the great second precept of the divine law, the "*mandatum novum*" of the New Testament, urges them to a more willing, but, of course, additional contribution.

Then comes the certain fact, that as the poor's rate is first enforced in its entirety upon and from the *occupier*, and as the state of the law, and of the relations generally between landlord and tenant in this country, by imposing no check to a rapacious or a needy landlord, tends to subject the tenant in the immense majority of cases to a rack-rent, or what is very nearly so, and thus creates more than a *set-off* to any possible demand for abatement on his part on account of the landlord's moiety of poor's rate, by him so paid in the first instance,—the *occupier* and the occupier *alone*, has really the burthen of this tax upon him, and the promise of "a more equable sharing of it by the upper classes" turns out to be a *myth* and a delusion.

In his present work Sir George Nicholls, although abating not one jot of his original pretensions to,

"Witch the world with noble *statesmanship*"!

yet is not altogether so frank in stating the grounds of his calculations, (or miscalculations) as in his earlier theses. We read and hear no more of that celebrated position of his, that inasmuch as the voluntary gifts of potatoes or meal given out at the cabin doors of the peasantry to the poor, represented, according to him, a capital of two millions of money, the effect and operation of *his* Poor Law would be to put an end to the waste and indiscriminateness of this mode of relief, and realising by a rate a portion, and only a portion, of the just stated amount in hard cash, to distribute it better, more economically and more efficiently withal, than was possible under the previous or any mere voluntary system of relief! To those who were acquainted with the habits and feelings of the Irish peasantry, and who knew how they used to forecast and prepare for the giving of this relief in kind, by setting out and cultivating a little more ground under potatoes than was likely to be needed for their own supply, and therefore how comparatively cheap and easy

this method of contributing towards the poor was to them, the absurdity of the pretence to lighten their contribution by making them pay in money an arbitrary valuation of what really was not realisable in money, being an almost infinitesimal portion of produce raised by their own voluntary labor, will at once be most glaringly apparent. Its author has evidently become ashamed of it, and so in his present work he is silent on the subject.

Quite of a piece with such speculations and predictions, is that embodied in the paragraphs of our last extract, which talk of changing the system of small holdings for the "better practice of daily labor for wages." The idea of throwing the whole agricultural population of the country upon the, in this country, always uncertain, scanty and fluctuating resource of money wages for daily labor, as their means of support, is too preposterous to need comment. Why, even at this moment, when the gaps, the terrible gaps of the famine and pestilence years are yet unfilled, when the over-pressure, as it was called, of population cannot be said to be felt, when the high prices for agricultural produce and the abundant harvests have increased and vivified for the time the circulation of the country, there are periods and months of inaction and want of employment, and necessarily must be; and if that be the case now, how much worse will not the state of things prove, when the temporary incidents we have enumerated shall cease, as in the ordinary course of nature they must cease, and give way to less favorable circumstances? We may equally dismiss without discussion the concluding part of the extract where he sums up the laudation of his project by promising that it would cause our "bogs and wastes to be reclaimed," "our fisheries to be worked and developed," our "manufactures," that died away under the general impoverishment of the country, to be revived and made to flourish, our general condition to be wonderfully and permanently improved, and our people to be "elevated in the social scale," all by the agency of a legislation under every form and mode of which it has inevitably resulted that the poor, struggling, industrious man is made to pay for the support of the idle, the lazy, and the improvident, and further, for the maintenance of a numerous and costly staff, or *Bureaucracy*, to watch and rule the prison-like workhouses where the really deserving destitute are mixed up with the worthless and the vicious—the honest with the rogues—the chaste and orderly with the lewd, the

unbridled and the shameless, and generations of boys and girls are growing up without family-ties or anything to bind them to society, but rather with evil feelings in their hearts at the restraints and harshnesses they are subjected to, and the grudging nature and manner of the support they receive.

His Second Report, that of November, 1837, was in its main features nearly identical with the first, and confirmatory of its views and proposals. It was thrown more into the form of an answer to objections than its predecessor, but the objections are, as often happens in such cases, not very candidly, or at least very fully stated. We pass to the more precise matters of distinct and positive predictions and tested statistics.

The following was an estimate prepared by Sir George Nicholls during the progress of the Poor Relief Act through Parliament, of the expense of working it as a law :—

Assuming that there will be a hundred Unions, each having a Workhouse capable of accommodating 800 persons, the paid officials, with their respective salaries in each Union, may be stated as follows, viz. :—

Clerk of the Union, from	...	...	60 to £80
Master and Mistress „	...	...	60 „ 80
Chaplains ... „	...	...	50 „ 80
Medical Officers and Medicines, ...	...	...	100 „ 150
Auditor ... „	...	...	20 „ 30
Returning Officer „	...	...	10 „ 20
Collector ... „	...	...	60 „ 70
Schoolmaster and Schoolmistress	...	...	50 „ 80
Porter and Assistant „	...	...	20 „ 30
Other Assistants „	...	...	20 „ 30

Total, from £450 to £650.

For the hundred Unions, this would give a total expenditure in salaries of from 45,000*l.* to 65,060*l.* per annum; or say, 55,000*l.* on an average.

In addition to the above, it may be further assumed, that on an average throughout the year, the workhouses will be three-parts full, and the total cost of maintenance, clothing, bedding, wear and tear, &c., will amount to 1*s.* 6*d.* per head per week, which is equal to £3 1*s.* or say £4 per head per annum; this will give an expenditure of 240,000*l.* per annum, for maintenance, &c., in the hundred Unions, which, added to the 55,000*l.* for salaries, will make a total charge of 295,000*l.* annually, for the relief of the destitute, under the provisions of the bill.

The money for building the workhouses is to be advanced by Government free of interest for ten years; and is to be repaid by annual instalments of five per cent. The cost of the workhouses has been stated at 700,000*l.*, but assuming it to amount to 1,000,000*l.*, this

would impose an additional charge of 50,000*l.* annually, for the first 20 years, (exclusive of the interest after the first ten years on the then residue of the principal), which, added to the above, makes an aggregate charge of £345,000 per annum.

Before proceeding with our author to review at least summarily, the successive annual Reports of the Poor Law Commissioners for Ireland upon the working of his law, from 1840, when the first Report was made, up to the Report of last year, it will not be considered out of place here to note one striking instance of the failure of our author's predictions, the testimony to which failure we quote from the Report of the Commissioners for taking the Census of Ireland in 1851. Sir George Nicholls had promised that his Poor Law should at any rate prevent deaths from starvation. Not in any intentional reference to this, but as incidental to their subject, the Irish Census Commissioners say in their Report, Part V, "On the Tables of Deaths," page 253—

In every country, even in England, with all its wealth—with its workhouses and its long established public institutions—deaths from starvation are annually recorded. The deaths registered in England from privation of food, were, for many years, above 100 annually; and even in the year 1853, as many as twenty-eight persons perished there from want. In the Irish returns made in 1841, only 117 deaths were registered from starvation for the ten years prior to that period; but from thence, according to the registration made in 1851, deaths from this cause *began notably to increase*, from 187 in the year 1842, to 516 in 1845. After that period deaths attributed to starvation increased rapidly so as to amount to 2,041 for the year 1846; in 1847 they reached the great height of 6,058; and in the two following years, 1848 and 1849, taken together they amounted to 9,395. In 1850 they were even more than in 1846, and during the first quarter of 1851 as many as 652 deaths attributed to starvation were recorded. The total deaths returned to us under the head of *starvation* amounted to 21,770, the sexes being in the proportion of 70.6 females to 100 males.

In our judgment the facts just stated would alone be enough to exemplify and expose the fatal miscalculations and delusions under which the Poor Law was introduced into Ireland. One of the chiefest and most confident assurances given us at the time of its introduction was, that it would at any rate put an end to the shocking recurrence, year after year, of deaths from absolute want. Yet as we have just seen and are told by the Census Commissioners, "these deaths increased notably after 1841,—amounting in the *succeeding year* 1842

to nearly double what they had been in *the whole ten years* from 1831 to 1841, and in 1845 to between *four and five times* that amount"!

After that came the famine, and of course much is to be allowed in that score—still the fearful figure of 6,058, for the year 1846, when the famine had only just begun, and the resources of private charity were not yet strained,—and that of 652 for only the *first quarter* of 1851; when the circumstances of the country were improving, and the great previous waste of life, the enormous emigration, and the large extension of the workhouse system, ought, one would have thought to have reduced very low the numbers of those obnoxious to so horrible a fate,—these speak trumpet-tongued of the real inefficacy of the Poor Law for its most obvious and loudest proclaimed purposes, and of its sad efficacy in drying up the previously abounding natural channels of benevolence.

The First Report of the Irish Poor Law Commissioners was dated the 1st of May, 1839, and necessarily contained little beyond an account of the steps taken preparatory to bringing the new law into operation. The Second Report dated 30th April, 1840, brought the proceedings towards this end down to the 25th March, in the last named year, by which time the number of "Unions" declared was 104.

"It was thought (says Sir George Nicholls, p. 245) that thirty more Unions would probably complete the number into which it might be desirable that the country should be arranged. This would be a greater number than was at first contemplated, but a strong desire for small Unions was found to be very general; and this desire added to the want of convenient centres and other local circumstances, led to an increase of the number beyond the original estimate."

Sir George Nicholls has omitted in his summary in the present work, of his first Report, that portion of it in which, with his usual unhesitating confidence, he pronounced that *eighty* workhouses would be amply sufficient for all the requirements of Ireland. In the foregoing extract it will be seen how gently he lets himself down, and how anxiously he endeavors to cover the gross miscalculation.

The Third Report, dated May 1st, and reporting up to the preceding 25th March, 1841, announced that 127 unions had been declared, and 115 workhouses were either built or in process of building. The number of inmates in the South

the total number relieved *during* the year. In reference to the latter it is sufficient to state, that in the year from 1st January, 1842, to the first of January, 1843, the total number relieved was 56,000, and in the year 1845, 114,205 persons were relieved. The average cost of the paupers in the latter year was 1s. 5½d. for maintenance and 2½d. for clothing, making altogether 1s. 8d., that being 2d. more than the original estimate, viz. 1s. 6d. weekly charge for each pauper.

The succeeding six or seven years of the History of Poor Laws in Ireland form an exceptional period; as the extraordinary Famine, and the extraordinary measures hastily *caught at*, as it were, and adopted to meet it, of course disturbed all previous calculations, whether of our author or of any body else whomsoever, and their operation and effects cannot be gauged and judged of by the ordinary rules whereby to test the efficacy or otherwise of a particular legislation. We therefore shall pass over them as more properly belonging to the sad and fearful history of the terrible visitation then sent upon the country, than to that of Poor Laws. It was a time when, whether Poor Laws existed or not, special and peculiar efforts towards providing means to save life should have been made; and as none of its disasters or blunders can be fairly charged to the account of Poor Laws, so neither can any argument in favor of those laws be derived therefrom, unless all logic and reason be violated by arguing from the particular to the universal, from the extreme case to the ordinary and normal.

We shall therefore leap over those years, and come to Sir George Nicholls' review in 1853, of his handiwork, in a letter dated from Dublin on the 16th of September in that year, and addressed to his patron, Lord John Russell. Before proceeding to give that letter, which will be found at page 399 of the work before us, we have to make the passing remark that, up to 1846, besides several controversies in various parts of the country on the subject of the size of Unions, and of Electoral Divisions—matters that have been hotly disputed upon since and are at this moment exciting a great deal of attention as we shall presently have to notice—much dissatisfaction had existed on account of the mortality of children in workhouses, the separation of families, a measure which, however considered essential in such establishments, is peculiarly repugnant to the warm family feelings of our poor people,—and the increasing burthen of a young population growing up without social ties of any kind. The

latter evil it had already been proposed to alleviate by a Government regulated emigration, to be provided for out of the rates. The Act, first and second Victoria, chap. 56, the original Irish Poor Relief Act of Sir George Nicholls, in sections 51 and 52, empowered Poor Law Guardians, with the consent of the rate payers of any electoral division, to raise and apply to the emigration to the colonies of poor persons belonging to that division, a rate of 1s. in the pound. Sir George Nicholls' own plan in this as in other respects, was to have made the provision applicable to the entire Union, not to be applied in detail to electoral divisions, but the latter having been substituted in the House of Lords, it was found impossible to work the provision, till the amendment act of 1843, the sixth and seventh Victoria, chap. 92, further amended by the tenth and eleventh Victoria, chap. 31, did away with the restriction to electoral divisions in the raising a rate for emigration, and enabled the guardians to levy it off the Union at large. The first of these acts allowed persons three months in a workhouse to be "emigrated," (if we may use the new *verb passive* that is in common currency of conversation in this country) and the second extended the permission to other persons, as well those outside as those less than three months within.

Under these provisions a number of young females (of which sex the overwhelming proportion of juvenile paupers were chiefly found to consist) have been from time to time "emigrated" to the colonies; a proceeding which assuredly no amount of repetition nor any lapse of time, nor indeed any casual amount of what is called good success, can deprive of its startling and unnatural character.

The following is Sir George Nicholls' letter of September, 1853 :—

Eleven years have now passed since I quitted Ireland. In the interim the country has suffered from famine and pestilence, and the poor-law has been subjected to a most severe trial. An examination of the present condition of the country and state of the law cannot therefore fail of being deeply interesting, and I should have been glad to have given more time to it, if other claims had permitted.

The circumstance that now first arrests attention in passing through the country, is the comparatively small number of beggars. Formerly the roads were lined with them, and the traveller wherever he stopped was surrounded by clamorous miserable-looking solicitors of charity. This is now changed. Beggars are rarely seen on the roads, less frequently in the towns; and are not I think on the whole more numerous than in England. The famine may have been *partly*

the cause of this change, but another, if not the chief cause, is the workhouses, where the old and feeble, the sick and infirm poor, are now supported, as the law designed, and as sound policy required that they should be. The workhouses are entirely occupied by this description of paupers, and the very young—there are no able-bodied. The total number of inmates of all classes, is now 84,000, which is about the number I estimated at the outset as requiring to be provided for. The cost of relief is probably, moreover, about the same as I then estimated that it would amount to; and it is not a little gratifying to find that our calculations in these respects are so far verified.

The poor-law appears to be now thoroughly naturalised in Ireland. Your lordship would have been delighted to have heard it spoken of as I have done, and that by persons who did not know me, and who praised it as having been the salvation of the country, exclaiming, "What should we have done without it!" Complaints of the expense are, it is true, sometimes heard, but these are directed rather against the inequality of the charge, than against the general amount, some electoral divisions paying heavily, whilst others pay little or nothing, as is sometimes the case with English parishes.

The changes which have been made, are not I think all of them improvements. Although the sub-divisions of a few of the unions might have been necessary, this, as well as the sub-divisions of the districts of chargeability, has, I fear been carried too far—it has added to the working friction, and swelled the aggregate charge.

When settlement shall be abolished in England, and union rating established instead of parochial, as I trust will ere long be the case, we may hope to see a similar form extended in Ireland, which would bring the law back nearly to what your lordship first proposed, and carried through the House of Commons: and most of the changes which were subsequently made, as well as some of those since added, have in my judgment served to detract from its simplicity, and tended to impede its effective operations.

All the workhouses which I have seen are in good order, and the buildings in perfect condition, and such also I am told is the case with the others. It is not a little satisfactory to find this the case after the complaints that were made of these buildings, which are now as much praised as they were at one time decried.

The most pleasing circumstance connected with the workhouse, is the state of the pauper children, who are there educated and trained up in habits of order, cleanliness, and industry, instead of being left as outcasts, with every likelihood of their becoming a burthen, and possibly a bane to the community. I wish you could have seen with me some of these workhouse schools, and witnessed the benefits they are conferring upon the country. In the rural districts there is little difficulty in getting the boys out to service as soon as they are of an age fit for it, and the girls now likewise generally obtain places, although not so readily; but in the large towns there is still a difficulty with the last; there being proportionately less employment for females in Ireland than in England. A considerable number of girls and young women have been assisted to emigrate within the last three years, and it is very desirable that others should be so assisted and sent from such of the workhouses as are overstocked with this class of inmates.

With respect to emigration, I think that it has been already carried further than was desirable. There appears to be no excess of labourers anywhere, and now in the harvest-season there is evidently a want of hands to do the work, and high wages are paid, as much in some instances as 2s and 2s 6d a-day, but this is *only during the period of urgency*. There is still a want of certain and continuous employment in Ireland, and the people do not rely upon regular and daily labour as a means of support, although they are, I think, approximating to it; and the extensive emigration which has taken place, will no doubt help forward the change. The rage for emigrating, however, continues although the occasion for it has ceased. It pervades every class, and is strongest with the best educated and most intelligent. I found this to be the case with the boys in the workhouse schools. The sharp, active, intelligent lads were all eager to emigrate. It was only the more dull, feeble, and inert who appeared content to remain at home. Yet I know of no country where labour can be applied with the certainty of a better return. Labour is here in fact the thing chiefly needed. It is impossible to pass through Ireland without seeing this, and lamenting the omission.

It is encouraging to reflect, however, that were there less room for improvement in this and other respects, there would be less incentive to exertion; and when the rage for emigration which still prevails shall have subsided, as subside it will, we may with greater confidence expect that the energies and increased intelligence of the people will be turned to the improvement of their own country, in which they will assuredly find a rich reward, and in furtherance of which they will, in the poor-law, have a valuable auxiliary. pp. 399-402.

One of the most amusing points in this amusing specimen of high-flown self-gratulation, is that of the near proportion between the number actually in the workhouses "of all classes," as he says, in 1853, and the number which in 1836-7 he calculated as the probable amount "requiring to be provided for!" The effects of the famine and emigration are altogether ignored, as also the evident fact that but for their tremendous operation in diminishing the classes from which the ranks of pauperism are recruited, one more of his "grand mistakes" would have been exposed—not even our author's self-assurance, superabundant as it was and is, having nerved him to assert that he had foreseen and forecast the extraordinary events that were to happen and had shaped his calculations accordingly.

The assertion of the great diminution of beggars may be confidently left to the judgment of our readers, especially of such of them as have seen much of the interior of Ireland. Passing over his remarks on the "naturalisation of the Poor Law in Ireland," (whatever that means,) and on the great discovery that without some species of compulsory assessment like that

under the poor-law, the extraordinary season of distress would have been yet more disastrous—a conclusion that proves nothing but that an extreme case requires an extreme measure to meet it, we come to his remarks about the children in workhouses. Taking leave to deny the success of their treatment in “inculcating habits of order, cleanliness and industry,” qualities that are in a multitude of instances found to be peculiarly wanting in those taken into private employment out of the workhouse; (and so wanting for the simple reason that cleanliness, industry, &c. are inculcated upon them necessarily as *tasks*, and are associated in their minds with the constraint and the harshness of their former places of abode)—we appeal to every right and manly and humane feeling against the coldblooded satisfaction with which he talks, and further recommends the *exportation* like sheep or cattle of “*girls and young women*” far away and for ever away from relatives, friends, and country, to seek their fortunes in the colonies. No doubt this really compulsory and (considering the dangers that beset young females away from their natural protectors and friends,) most cruel and perilous expatriation has been resorted to by various boards of guardians throughout the country, but so has the starvation scale of diet in some unions, and so have other proofs been given by boards of guardians in different parts of the country, of the almost inevitable hardening of the heart and development of selfishness which result from being mixed up with the working of the poor law, more generally, (as is easily conceivable,) among the smaller ratepayers on the boards, but not by any means infrequently among their superiors in wealth and condition. But no matter by whom adopted, or where, or to what extent put in practice, the startling and unnatural and really cruel character of the expedient remains unchanged and undeniable.

We would pray the attention of those who are most disposed to look with approval on Sir George Nicholls’ words and acts, to passages in the second last paragraph of his just quoted letter of 1853. As we read that paragraph it seems to resolve itself into the following propositions, viz: 1st—Emigration has gone too far, and there is *no excess* of labourers. 2nd—Wages are high, but *only during the period of urgency*. 3rd—*Certain and continuous employment is STILL WANTING* in Ireland, and the people “do not *rely* on regular and daily labour for support.” 4th—The extensive emigration, (although the necessity for it has ceased,) *will help forward the change*. 5th—Sir George

Nicholls *knows of no country where labour can be applied with the certainty of a better return!!!*

We confess to be at a loss to understand the meaning of all this! A not very remote probability may be that it had really no very definite and consistent meaning in our author's own mind. If we are to believe that it had, there remains only to remark, that he has then been singularly unfortunate in the endeavour to convey his meaning to others. If, as he informs Lord John Russell, "Emigration has gone too far, and there is no excess of laborers," what necessity *can* there be for invoking the aid of Emigration to "help forward the desired change" of getting the people "to rely on regular and daily labor for their support"? If there "be still a want of *certain and continuous employment* in Ireland," how *can* the people "be brought to rely for support on *regular and daily labor*"? And since he seems to consider that it was his especial office and mission to lecture and enlighten us, *why has he not explained to us the causes* of this want, and the means of removing them and of supplying to it? The question is one of most grave importance, for if with so reduced a population as at present a serious want of employment, at least of "*constant and continuous*" employment is felt, what will not be the case when population has increased again?

We shall attempt a solution of the difficulty he has not attempted to meet, and if our solution be wrong, by all means let its error be shown, and let him thus complete his task of instruction. To us it appears that the undoubted "want of constant and continuous employment" in Ireland is mainly referable to two causes, viz:—First, the general impoverishment of this country, owing to the large drains of money in absentee rents, surplus revenue (*i. e.* surplus after defraying the very moderate Government Expenditure in Ireland) and payments for imported English manufactures, our own, with a comparatively small exception in Belfast, being long annihilated. Second, the insecurity of tenure under which our farmers hold their lands. They are driven to the practices of boarding, or investing in savings' banks, &c., because if they were to expend their monies in improvements, (whereby additional employment would of course be given in the best and most natural way to the labouring population,) they could not depend on being allowed to reap the profits. The present state of the law between landlord and tenant is notoriously such, that the man who lays out his

capital in improving his farm, does so indisputably at a risk and most commonly at a certain loss; as in the vast majority of cases either his rent is raised at once upon him, or his farm given to the best bidder without any compensation to him. And it is equally notorious that there is no prospect of procuring an amendment of the law, as the extravagant demands made on one side, the obstinate resistance of the other, and the natural very great difficulties of the question itself, have conspired to deprive us of hope.

Whether Sir George Nicholls' absolute silence on these points, a silence remarkable throughout his works, be the result simply of what the French term "*une ignorance crasse*," or of a reluctance to speak what, to his employers and fautors, are doubtless unpalatable truths, we will not stop to consider, but turn, ere we conclude this paper, to a few statistics illustrative of what may be called the *mechanical* working of his Poor Law. We give along with them a few similar collections of figures for England and Scotland connected with the Poor Laws there.

The first of these tables is exclusively a statement for Ireland, beginning with the Poor Law year, ending September, 1845, at the very commencement of the Famine, and contrasting the then existing state of things with that in the twelve months ending 31st December, 1849, when the famine and distress may be said to have reached their culminating point. The comparison is then carried on to the 12 months ending 31st December, 1855, when the visitation was past away, and things had returned to something of a normal state.

Years.	PAUPERS.		Maintenance and Clothing	Salaries and Charges.	Other expenses as Law suits, &c.	Total Expenditure
	In workhouse	Outside.				
15th Sept. 1844 to ditto 1845. }	74,665	No out-door relief in 1845.	£ 159,827	£ 30,892	£ 42,034	£ 292,733
1st Jan. to 31st Decem. 1849. }	932,284	1,210,482	£ 1,476,898	£ 700,753	Not specified	£ 2,177,651
Ditto 1855	269,794	35,432	£ 437,544	£ 247,715	"	£ 685,259

Hence it appears that salaries, and other expenses of the Poor Law system, amounted in 1845 to fully one-half of the sum

actually expended in *maintenance and clothing of the poor*; and that in 1855, the next *normal* year in the foregoing table, they amounted to a good deal *more* than one-half. And this is the result and *proof* Sir George Nicholls promised of the superior *economy*, according to him, of a system of *legal relief* over that of voluntary charity!

The following are the statements for England in the years 1852 and 1856 respectively, and subjoined is a similar one for Scotland:—

Years.	Paupers relieved in the Workhouse.	Ditto outside.	Total number	Expenditure.
1852	106,413	728,011	834,424	£4,897,685
1856	125,597	752,170	877,767	£5,890,041

SCOTLAND.

1852	99,637	46,601	146,338	£535,863
1856	100,500	42,863	143,363	£611,785

Thus in the three countries the inevitable tendency of Poor Law expenditure towards increase, and an increase disproportioned to any increase in the number of paupers relieved, is plainly visible. In England, with a four years' increase of paupers amounting only to 32,000 (on a total of 878,000), the increase of expenditure is one million! And in Scotland, with a positive *decrease* in the number of paupers, there is an *increase* of £80,000 in the expenditure!

In Ireland, as it will be seen by reference back to the first of the foregoing tables, that whereas on a population in 1845, of 8,300,000, we had only 74,665 paupers, costing the country £292,733—we had in 1855, on a population of *six millions*, no less than 305,000 paupers, costing us £685,259.

That this country is not quite so content with his Irish Poor Law as Sir George Nicholls would persuade his English readers,

is sufficiently evident to all who read the Irish provincial papers. These latter constantly teem with complaints of its pressure, the extravagance of the expenditure under it, and the arbitrary and injurious interferences of the Head Commissioners in Dublin. The metropolitan unions, (North and South Dublin,) have their own particular grievances, which they have abundant opportunities of proclaiming. The general body of Poor Law Guardians throughout Ireland have, within the last few weeks, made a special occasion of their own, for proclaiming those matters of complaint which are common to them all. The following extracts are from the newspaper accounts of their proceedings, and although, as inevitably happens in such large and mixed assemblages, there was a want of definiteness and precision in the representations ultimately agreed to, and an omission of many important matters for the sake of unanimity, a perusal of these brief extracts will be found to support our assertion, that the Poor Law does not sit so easy upon us as our author declares :—

PROPOSED AMALGAMATION OF POOR LAW UNIONS—DEPUTATION TO
THE LORD LIEUTENANT.

A deputation of poor law guardians, appointed at the general meeting of guardians, held on the 30th of January at the Commercial Buildings, relative to the amalgamation of unions, and the reduction of establishment charges, waited yesterday upon the Lord Lieutenant at Dublin Castle. His Excellency, who was attended by Colonel Larcom, Mr. F. Howard, and the A.D.C.'s in waiting, received the deputation at one o'clock in the Presence Chamber. The following gentlemen were members of the deputation :—

J. L. W. Naper, Samuel Vesey, D.L., county Tyrone; A. O'Reilly, D.L., county Cavan; R. T. Truell, J.P., D.L., county Wicklow; A. S. Hussey, D.L., county Meath; R. H. Beauchamp, V.C., Clare; Fitzstephen Dwyer, J.P., Borrisokane, county Tipperary; W. O'Mahony, Youghal, Cork; Thomas M. Commins, J.P., Cork county; George Greene, V.C. Clonmel; Wm. Gilbert, Rathdrum; James Coates, D.L., J.P., county Down; John Wingfield King, D.L., J.P., Sligo; John Blundell, Bart., county Kilkenny; James Harden, D.L. and J.P., county Armagh; F. A. Knox Gore, Col. Lieutenant of Sligo; E. K. Tennison, Lieutenant of Roscommon; A. H. Stritch, J.P., Longford; John J. Sullivan, Limerick; G. A. Boyd, D.L., Middleton Park, Westmeath; Henry Masters, Lieut. Colonel, Longford; Lord Dunally, D.L., Kilboy, Nenagh; John Bayly, D.L., Dobsborough, Nenagh; Wm. S. Trench, county Monaghan; John P. Byrne, county Dublin; Sir Richard Levinge, Bart.; P. Creagh, H. J. M'Farlane, Captain Lindsay.

The deputation having been introduced, J. L. Naper, Chairman of the meeting, addressing his Excellency, read the following memorial :—

"To His Excellency George Frederick William Howard, Earl of Carlisle, K.G. Lord Lieutenant General and General Governor of Ireland.

"The Memorial of the Deputies appointed by the Poor Law Boards of Guardians in Ireland, assembled at a meeting held in Dublin on the 30th Jan., 1857,

"Sheweth—That memorialists having met in Dublin to consider the existing evils in the administration of the poor laws in this country, and having conferred together, we beg leave to call your Excellency's attention to the following circumstances:—

"That there is at present a superabundant and very unnecessary amount of indoor accommodation, exceeding, by about four times, what is required, and this at a period when not only pauperism but the population is on the decrease, there being only 53,000 inmates of workhouses in the 163 unions in Ireland, being one-fifth of the number in 1851, the number then being 250,000. And whereas in 68 unions there are only 8,625 inmates; the establishment charges in these unions alone amount to over £58,485 per annum, the greater portion of which sum might be saved to the country by an amalgamation in some cases and by the reduction of establishment staffs in others.

"Under the foregoing circumstances, the law obviously requiring amendment, we beg leave to request your Excellency to apprise the government of the necessity of applying some remedy by legislative enactment to the evils of which we complain."

Mr. A. O'Reilly remarked that the great point at present was to reduce the excessive establishment expenditure. When the war was over the war establishment was reduced, and so when the necessity for a large poor law machinery in workhouses, was at an end the expenses should be reduced.

Mr. Dwyer said that from the way the children were brought up under the present system in the workhouses they neither made good labourers nor good soldiers.

The Chairman, Mr. Naper, checked the further ebullition of such complaints as those of Mr. O'Reilly and Mr. Dwyer, by reminding all present that for the sake of unanimity they had, at their previous meeting, agreed strictly to confine themselves to the statements of the memorial.

There is one fearful consideration connected with the operation of the Poor Law upon which we have not as yet touched, and which we have not now either the space or the desire to enlarge upon. It is that of the demoralisation of young females in the workhouses. Virtuous honest girls are thrown into the company and close companionship of the most depraved and wretched of their sex, and contamination too frequently follows. Add to this, that officials and even guardians of the workhouses have been known to have abused their position and opportunities, to gratify their vilest passions among the unfortunate

female inmates. And not only in Dublin, but in many work-houses in various parts of Ireland it is well known that procuresses for houses of ill-fame have gone in for the purpose, (in a number of instances only too successfully accomplished,) of recruiting among the young female paupers for the infamous establishments to which they themselves belonged, or by which they were employed !

The conclusion we would come to upon all this is, that Sir George Nicholls has been at least premature in sounding the note of triumph, as he does in the work before us, upon his Poor Law for Ireland. It has *not* delivered us from beggars, it has increased enormously the exactions from us towards the support of pauperism. It is year after year becoming in itself more costly. It is rearing up in the workhouse young generations without one kindly tie to bind them to society, but rather with rancour towards it in their hearts. It expatriates or demoralizes too many of the young females who are abandoned to its tender mercies. It hardens the hearts of the rate-paying classes, and creates evil feeling between them and the increasing class of recipients of relief. And we almost feel as if mocking the real impoverishment of our people if we allude even in passing, to the total and utter failure of Sir George Nicholls' promises of abounding and overflowing manufacturing, commercial, and agricultural prosperity, all to be brought about by the magical agency of Poor Laws ! Truly the "Case of Ireland" is sad, not only as regards the old grievance of Molyneux's time, "her being bound by acts of Parliament in England," but as having one of the most difficult and intricate points of her legislation made over as a hobby, and a matter of rash and random experiment, to a puffed-up, hard-headed theorist and sciolist in political and social economy, like Sir George Nicholls !

ART. V.—THE FRENCH OPERA AT PARIS.

1. *Petits Mémoires de l'Opéra.* Par Charles de Boigne. Paris, 1857.
2. *Histoire du Théâtre de l'Académie Royale de Musique en France.* A Paris, 1757.
3. *Musical History, Biography and Criticism,* by George Hogarth, 2 Vols. London, 1838.
4. *Memoirs of the Opera,* by George Hogarth. Richard Bentley, London, 1851.

In these our days, and amongst this our people of habitués of the Italian opera, when the legitimate drama is at a discount, and Shakespeare is laid aside for the quatrains of Italian *improvisatori*, it must be a very difficult task to cause to be appreciated, the early efforts of the French to establish a national representation of theatrical music amongst themselves. Notwithstanding the talents of Balfe and Wallace, and numerous others, our own English opera has been completely thrown into the shade; it is not the *ton*, it does not possess the foreign twang, and must yield to the imperative mandate of fashion. In nothing are the English so slavish to conventionalities, as in their theatre-going; not that we mean to say, the music of these foreign performances may not be superior to many of our own, but out of every hundred spectators there are not perhaps two, who understand the meaning of the words, or can follow the singer through his part. A blind subservience to a public furor hurries them on, and they sit out the evening with open eyes and mouths, catching at the pantomimic gestures of the singers, and now and then recognizing an *aria*, which they have most probably picked up from the barrel-organ of a strolling Savoyard. There is unfortunately very little encouragement given to the improvement of native talent in this direction, and the consequence is, that we are immeasurably inferior in our musical knowledge, tastes, and capabilities, to every nation in Europe, except, perhaps, the Spaniards. In Germany long since, musical universities and academies have been established, which by a regular system of education, train up professors and develope native talent, while in all parts of the Continent, it is considered as necessary a part of polite learning to be instructed in the first principles of the musical art, as it has been in these countries, to be somewhat

proficient in Greek, Latin, and a little mathematics. It is to be admitted, however, that of late the tastes of our people have been very much improved in this direction, and especially in this our city of Dublin, where so many Concert, Glee, Madrigal, and other musical societies have sprung up, and promise to humanize the rough elements of our national character.

Italy has been the mother of the nations of modern Europe in most of the arts, which embellish the life of man in those ages. Painting, Sculpture, Poetry, Music, the Drama, and finally, the Opera, have all had their infancy in her realms, when the dawn of civilization had dissipated the darkness of the middle ages, and since then they have been propagated from clime to clime, from her as from a centre. As modern comedy and tragedy owe their origin to the representations of sacred mysteries in public, in booths, at fairs, and markets, so the opera was initiated in Florence about the year 1449, by dramatic pieces with musical interludes, in which the lives and actions of the patriarchs and saints were held up to an admiring audience. Subsequently profane subjects were introduced, as for instance, a comedy called *La Calandra*, which was got up by the Cardinal Bernard de Bibienne for the amusement of the Pope Leo X. at Rome, under the direction of one Balthazar Peruzzi, in the year 1516. The *Orfeo* of Politian is also referred to somewhat about this date. But these performances only resembled our ballet operas of the present day, with occasional *arias* introduced, the recitative not being sung. The application of harmonized music to the recitative, has been attributed to two authors, with rival claims to invention, Ottavio Rinuccini of Florence, and Jacopo Peri, who brought out a musical drama called *Dafne*, in the same city in the year 1597. At Rome the first operatic performance entirely sung was produced in 1600, entitled "*il rappresentazione dell' Anima e del corpo*," in which the personages were allegorical. The favorite subject of all the early authors, seems to have been the mythical adventures of Orpheus, as appears by the *Orfeo* of Politian, Rinuccini, Monteverde, and others, and which was introduced subsequently in various shapes on the French stage. The orchestra of this period was of a most original description, consisting of the viol de gamba, an instrument which approached in construction the violoncello of our days, the harpsichord, ancestor of the piano, and guitars and flutes, all of which were played behind the scenes, forming but a very weak accompaniment to the singers.

The Oratorio also, the progenitor of the opera, was brought to some degree of perfection in this age, particularly by Alessandro Stradella, whose fame as a musician was fully established at Venice by his "*San Giovanni Battista*," and whose romantic adventures and death deserve some notice here. His renown as a musician caused him to be engaged by a Venetian nobleman, to instruct a young lady named Hortensia, whom the Patrician had inveigled from her family. The lady preferred the *professore* to the noble, and the pair fled to Naples, and subsequently to Rome. Here they were traced by two assassins, sent by the Venetian to avenge the insult and dispatch Stradella, and who entered a church, where the musician was conducting an oratorio, with the determination of accomplishing their fell purpose. Such, however, was the beauty of the music, and its ascendancy over the minds of the assassins, that they relinquished their design, and even discovered the whole plot to Stradella, advising him at the same time to fly to safer quarters. He repaired to Turin, and put himself under the protection of the Duchess of Savoy. Two other villains, however, were hired, and succeeded in leaving their victim in an apparently hopeless state in the ducal palace. Still he recovered, and the Duchess, in order to remove all further possibility of separating the lovers, had them publicly united at her court, and constantly guarded within its precincts. The vengeance of the Venetian did not yet slumber; he despatched another brace of murderers in pursuit, and after some years, when Stradella was obliged to go to Genoa on some urgent affairs, they succeeded in stabbing to the heart the luckless pair, as they lay sleeping one early morning in each other's arms. This occurred in the year 1670, and is a striking trait both of the Italian love for music, and the Italian love for revenge, still subsisting at the present day.

Rinuccini had come to France in the suite of Marie de Medicis, and laid the foundation of an Italian company at her court, in the year 1577. Ballets were the principal performances at this period, one of which was brought out at the marriage of Monsieur de Joyeuse with Mademoiselle de Vaudemont, under the direction of Balthasarini, the best violin player of his time, in the year 1581. The Cardinal Mazarin was, however, the first to introduce the complete opera, in 1645, by causing to be represented before the King and Queen at the Petit Bourbon an Italian piece entitled, *La Festa teatrale de la finta Pazza*, and in 1647 another, *Orfeo è Euridice*, by an Italian company. Three

years afterwards, Pierre Corneille produced a tragedy called *Andromède*, in getting up which great expense was gone to in machinery, dresses, &c. It was played before the Queen Anne d' Autriche, and produced an extraordinary sensation. The whole piece was not sung, but the recitative was intermingled with airs, somewhat in the style of the ancient tragedies of Sophocles and Euripides. Ballets, however, continued to be the favorite amusement of the Court, the verses of them being composed by some of the best authors, and the characters, divinities, heroes, shepherds, and other personages, represented by the young king, Louis XIV., the princes, and the most noble of the courtiers. The troubles of the Fronde interrupted for some time any further attempts to establish a French opera, until the year 1659, when a pastoral piece in five acts, the words by the Abbé Perrin, and the music by Lambert and Cambert, music masters to the Queen, was played at the village of Issy, in the house of the Sieur de la Haye, and subsequently at Vincennes, at the desire of Cardinal Mazarin, before the whole court. This success induced the Abbé to write several other pieces, and led to his obtaining in the year 1669 a patent for establishing academies of music at Paris, and in the other cities of the kingdom. He and his associates subsequently brought out several operas, amongst the rest *Pomone*, which was played in 1671 in the Jeu de Peaume de Bel-air, rue Mazarine, of which an author of the times says: "The scenery was regarded with surprise, the dances with pleasure, the singing was heard with delight, the words with disgust."

A great revolution in French music was now about to be effected by the celebrated Jean Baptiste Lulli, a Florentine, who had obtained the place of superintendent of music to the King. He was son of a peasant, and had received some instruction from a cordelier in music and playing on the guitar, which he afterwards abandoned for the violin, his favourite instrument. The Chevalier de Guise brought him to France for the service of Mademoiselle de Montpensier, in whose kitchen he was for some time *sous-marmite*, under scullion, until one day the Comte de Nogent, hearing him by chance amusing himself with playing on the violin, recommended to his mistress to have him taught by proper masters. At this time the principal band of the court consisted of twenty-four violins, considered the best in Europe, but Louis XIV. having heard Lulli play,

instituted a new band in his favor in the year 1652, and gave them the name of *Les petits Violons*. The different parts of a musical piece were not then performed from regular books, but learned off by heart by the musicians, who should each be individually instructed by the master. Here Lulli introduced his first great improvement, making his pupils play from the book and learn their own parts, so that in a short time he was able to produce symphonies and other harmonised pieces, and brought his band to greater perfection than any of the Italians of his day. He was now appointed superintendent of the king's music, and in the year 1672, a quarrel having arisen between the Abbé Perrin and his associates, the former gave up his privilege of the academy of music, which was granted to Lulli, who caused a new theatre to be constructed near the Palais d'Orleans, in the Rue Vaugirard, called the Luxembourg. After the death of Molière in 1678, the French opera was removed to the Theatre of the Palais Royal, where it remained for a long time. The first piece brought out by Lulli, was that of *Les Fêtes de l'Amour et de Bacchus*, a pastoral with ballets, the words by Quinault, in 1672, and was soon followed by that of *Cadmus*. The first female actors and singers did not appear until the year 1681.

Such was the foundation of the French *Académie de Musique* by the famous Lulli, of whom Voltaire says that he "was the father of true music in France." Before the time of this great master, attention was paid only to the first parts of the singing. In the violin parts, the bass and tenor instruments only performed a simple accompaniment, a sort of counter-point, which the players composed generally as it occurred to them, and played without book, and the singers of the same parts followed the same method. But Lulli brought the whole into a regular system, such as is practised at the present day. He was the first also to introduce oboes, trumpets, drums, and cymbals into the Orchestra, and even made use of a whistle in one of the scenes of his *Acis et Galatée*. The words of his Operas were principally written by Quinault, who was an advocate by profession, and considered the best poet of his time, notwithstanding the severe judgment passed upon him by the critic Boileau :

"Et tous ces lieux communs de morale lubrique,
Que Lulli rechauffe des sons de sa musique."

When these two concerted a piece between them, it was.

at once submitted to the King, Louis XIV., and his court jury, who decided on the scenes, verses, dresses, and music, and then it was shewn to the Académie Française, of which Quinault was a member. La Fontaine wrote an opera for Lulli, but it was condemned by the whole court, and not allowed to be played.

So great was the favor of Lulli at court, that it raised up many enemies to him, amongst the rest Guischard, who attempted to poison him with juice of tobacco. The king, however, gave him letters of nobility, and appointed him one of his secretaries, to the great annoyance of the high courtiers, who up to this time considered that an honor particularly reserved for themselves. They cut him, and would not receive him into their society until the king insisted, and on the day of his reception into the *confrérie*, he treated the members to the Opera of *le triomphe de l'Amour*. Lulli now neglected the violin so much, that he would not even allow one to be brought into his house, but the Marèchal de Grammont, by a happy *ruse*, managed to get him to play. She desired Lulli to hear one of his valets, Lalande, playing on that instrument, and to give him a few instructions. The lesson began, but Lulli, soon disgusted with the bad performance of his pupil, snatched the violin from his hands, and commencing himself, became so excited by his own music, that he could not be got to stop for three hours.

One of his best operas, *Atys*, created a great sensation at court, and gave rise to a *bon mot* of the king, who, when Madame de Maintenon declared *Atys* to be her favorite, said, "Ah, *Atys* is a happy man." Boileau, at the performance of this opera, asked the box-keeper to put him in a place in the theatre, where he would not hear the words, as though he liked Lulli's music much, he had a sovereign contempt for Quinault's verses. This is but one of the injustices which this bitter critic committed.

Quinault's last opera was that of *Armide*, the last act of which had to be rewritten five times in order to please Lulli. It is still considered a very excellent performance, has been reset by Rameau, subsequently by Gluck, and is still frequently played in France. Molière's *Bourgeois Gentilhomme*, and Fontenelle's *Psyche*, and also *Bellerophon*, were brought out by Lulli. The singers of his time were not of such excellence as to need much mention, the two principal female vocalists being La

Rochois and La Maupin. The adventures of the latter are somewhat curious as given by Mr. George Hogarth.

She was born in 1678, and married at a very early age, but soon ran away with a fencing master, from whom she learned the use of the small sword. After remaining for some time at Marseilles, where she narrowly escaped the punishment of burning alive for setting fire to a convent, she went to Paris, appeared on the opera stage at the age of two-and-twenty, and was for a considerable time the reigning favourite of the day. Having on some occasion been affronted by Dumeni, a singer, she put on male attire, watched for him in the Place des Victoires, insisted on his drawing his sword and fighting her, and on his refusing, caned him and took his watch and snuff-box. Next day Dumeni having boasted in the opera house, that he had defended himself against three men, who had attempted to rob him, she told the whole story, and produced his watch and snuff-box in proof of her having chastised him as a coward. Thevenard, another singer of note, was nearly treated in the same manner, and had no other way of escaping, but by publicly begging her pardon, after hiding himself in the Palais Royal for three weeks. At a Ball given by Monsieur the brother of Louis XIV., she appeared in men's clothes, and having behaved impertinently to a lady, was called out by three of her friends. Instead of avoiding the combat, by discovering her sex, she drew her sword, and killed all the three; and then, returning very coolly to the ball-room, told the story to Monsieur, who obtained her pardon. After some other adventures, she went to Brussels, where she became mistress to the Elector of Bavaria. This prince, having quitted her for the Countess of Arco, sent her by that lady's husband a purse of 4000 livres, with an order to quit Brussels. But this singular heroine threw the purse at the Count's head, telling him it was a recompense worthy of such a contemptible scoundrel as himself. She afterwards returned to the Parisian stage, which she left in 1705. The conclusion of such a life is not the least extraordinary part of it. She became at last very devout, and having recalled her husband, from whom she had been long separated, lived with him in a pious manner till her death in 1707, at the age of thirty-four. Such is the history of this woman, given by Laborde and other writers; and strange as it is, there seems no reason for doubting its truth.

Lulli owed his death to a wound he gave himself in the foot with a cane, as he was beating time to a *Te Deum* performed in honor of the king's recovery from a serious illness in 1687. The court doctors advised him to have the limb amputated, but he put himself under a quack, who promised to save the member, and only produced mortification. His confessor would not give him absolution, if he did not consent to burn a rather licentious opera, which he was engaged composing, called *Achille et Polixène*. It was taken from a drawer and

cast into the fire. One of the Princes of Vendôme asked him, why he had burned it, as he might recover. "Hush," said Lulli, "I have got another copy of it." However, when pronounced beyond recovery, he shewed intense remorse, and stretched himself on a bed of ashes, with a rope round his neck, singing to one of his own airs the words, "*Il faut mourir, pêcheur, il faut mourir.*" After his death the obnoxious opera was finished by another composer and subsequently performed. This famous man was stout in person, dark in face, with a spirited expression. He was much addicted to the table, which predisposed him to the illness from which he died. The chevalier de Lorraine, one of his boon companions, obtained admittance to him on his death-bed on the plea of long friendship. Madame Lulli, in her husband's presence, upbraided him as being the person who made him last drunk, and caused his death. "My dear wife," said Lulli interrupting her, "M. le Chevalier was certainly the last who made me drunk, and if I recover shall be the first to do so again." He left a fortune of twenty-six thousand pounds sterling after him, at least three times the value of the same sum at the present day. His music was very simple, and though the accompaniment was rather thin and weak, it retained possession of the French stage until the middle of the last century, to the time of Rameau. A specimen of his play of *Proserpine* is given in the *Harmonicon* of 1823. For a good description of the style of actors and dresses of this period, we may refer to a paper of Addison's, in No. 29 of the *Spectator*.

The principal followers of Lulli up to the time of Rameau, were Colasse, Campra, and Destouches, the former of whom produced an opera, *Astrée*, by la Fontaine in 1691. The author himself thought so little of it, that he told some ladies, who sat behind him during the performance, and who praised both the author and the piece, "Well, ladies, the piece is not worth a farthing, and this M. de la Fontaine, whom you talk of, is a blockhead, he tells you so himself." In fact up to the time of Rameau, no eminent name appears connected with the French Opera except Coupin and Marchand, two great organists, and Leclair, a violinist. A new style of music was now introduced, more elaborate and fuller in the accompaniments and chorus, which promised soon to supersede that of Lulli.

Rameau was born in the year 1683, at Clermont in Auvergne,

and published several treatises on music in his youth, but did not produce any opera until his fiftieth year in 1733, when he brought out his "*Hyppolyte et Aricie*," which at once gave him a triumph and superseded the music of Lulli. Factionous spirit, however, in favor of either of these composers ran very high, and for a long time divided the public and court. An Italian company having come to Paris, and acted in the year 1752 a *Burletta, Serva Padrona*, the parties in the contest were changed, and the public divided between the Italians and French, and the feud became so strong that Jean Jacques Rousseau, who wrote his *Lettre sur la Musique Française* against the French school, was burned in effigy at the Opera house door. The Italians were after two years driven from Paris. Rousseau himself produced a piece, *Le Devin du Village*, which has been since reproduced on the French stage, but he got into such bad odour with his orchestra from his imperious manner, that they hung him in effigy. Rameau was a man of a coarse disposition, selfish and very avaricious. He brought out his last opera, *les Paladins* in 1760, and four years after died at the age of 81 years.

During his time, Mondonville composed *Titon et Aurore* in the height of the Italian dispute, when the theatre was divided into two sides, the *Coin du Roi*, the French faction, and the *Coin de la Reine*, the Italian. The author procured the assistance of Madame de Pompadour, by whose orders the pit, before the doors were opened, was filled by the king's household, excluding the other party, so that the Opera was completely successful. He also produced a piece, *Daphnis et Alcimadure*, in the patois of Languedoc, sung by artistes from the south, the musical language of which, contrasted with the French, created a great sensation on the stage.

At the *Opera Comique* many Operas *à ariettes* or ballets, were now represented, some by the famous Favart. He was son of a pastry cook, and made *chansonnier* to Marshal Saxe's army in Flanders before the battle of Rocoux. He married a Mademoiselle Chantilly, with whom the general fell desperately in love. They escaped from the camp before Maestricht during a stormy night, when the bridges of communication between two parts of the army, then in a perilous position, had been swept away. Marshal Saxe was found by one of his officers, Dumesnil, sitting on his bed and bewailing his fate in tones of the most violent grief. The officer thought his anxiety

was running on the misfortune of the bridges, and endeavoured to comfort him by representing that they might be repaired in a few hours. "What," cried the Marshal, "is it the bridges you are talking about all this while? That is nothing—I can put it to rights in a couple of hours. But Chantilly—I have lost her, she has deserted me." He procured a *Lettre de Cachet* from Louis XV., subsequently, and imprisoned Madame Favart in a convent in the country, until she consented to become his mistress. She afterwards appeared as a favorite actress at the *Théâtre Italien*, and died in 1773.

There is an amusing description of the manner of representation of a French Opera at this period, given in his correspondence for 1765 by the Baron de Grimm. "The piece was *Castor and Pollux*. The actors kept singing and dancing alternately, and never to the purpose. It ended with every act, and then had to begin again, till at last Castor was fairly killed, buried, brought to life again, and received into Paradise. To celebrate his apotheosis, the dancers, male and female, took the names of the stars and planets, and danced a *chaconne*, and while the moon, who was called Mademoiselle Preslin, placed herself between M. Vestris, who was the sun, and Mademoiselle Allard, who was the earth, the foot-lights were lowered to imitate an eclipse. This ingenious idea was received with great applause."

Duni, Philidor, the great chess-player, and a few others, preceded Grétry, who composed for the comic Opera some 80 pieces, commencing with *le Huron*, the words of which are by Marmontel. He improved very much the taste for music in France, survived the Revolution, and died full of honor in 1813.

Gluck now came forward under the patronage of Marie Antoinette with the *Iphigénie en Aulide*, and *Orphée*, and was shortly after opposed by Piccini, who, under the tuition of Marmontel in the French language, of which he did not understand one word, composed *Roland*. At the rehearsals of the music, Piccini was thrown into despair by the singers and the band, who could not keep time for a dozen bars together. It produced, however, such an impression on the public, as to revive the old factions of Italians and French, under the names of Gluckites and Piccinistes. The rival authors met one evening at supper at the house of Berton, then director of the Opera, they embraced each other, conversed very freely, and when Gluck became warmed with wine, he turned to Piccini, and

told him, that the French understood nothing of singing, that he was a great man, composed fine music, and thought only of his reputation, but that if he was wise he should think only of making money, and nothing else. They parted very good friends, but the war between their partisans was still maintained as hotly as ever.

Piccini afterwards went to Naples, but fell under the displeasure of the Government there on account of his political opinions, and lost all his property. He obtained leave to return to France, and was about receiving an office from the First Consul, when he expired on the 7th May 1800, at the village of Passy, exhausted by mental labour and bodily suffering, at the age of seventy-two years. In his *Iphigénie en Tauride* a Mademoiselle Laguerre appeared upon the stage in such a state of elevation, that she could not walk, and was supported by her attendant priestesses. She had ruined by her extravagance a prince of the blood and a wealthy farmer general, but was still a great favorite. The audience treated her with the greatest kindness, did not hiss, and between the acts she had time to recover herself and finish her part creditably. She was sent, however, to the prison of Fort l'Évêque by the king, where she remained two days, and expressed great contrition on coming out, repeating the first two lines of her part:—

“O jour fatal, que Je voulais en vain,
Ne pas compter parmi ceux de ma vie.”

She subsequently died from the effects of dissipation in the year 1788, leaving behind her a fortune of £75,000 sterling.

After the Opera house was burned in 1781, the *Académie Royale de Musique* gave concerts at the Tuilleries, and on one occasion imposed on the Gluckistes, a piece announced as a production of Gluck, but really one by Jomelli, and which had been hissed in Italy. It was loudly applauded by the partisans, who finding out their mistake by a whisper passed in the hall, abandoned the field of battle altogether to the Piccinistes and did not again shew themselves. Before this, while M. Vismes was director in 1779, a rebellion arose among the *corps dramatique* against the despotism of the manager. La Fayette had just returned from America, and a congress was formed having at its head the elder Vestris, *le Dieu de la Danse*. One lady, Mademoiselle Guichard, being ordered by the government to dance, replied, “The minister orders me to dance; well—he had better look to himself, lest I make himself dance one of these days.” When this was reported to

the young king he remarked to those about him, "It is all your own fault, gentlemen; if you paid these ladies fewer attentions, they would not be so insolent." She applied for a new and extravagant dress, and was refused; but she gained her point by sending the manager the dress she had, cut into ten thousand pieces. A dancer, Dauberval, and the younger Vestris were sent to prison for their rebellion, the elder Vestris saying to his son as he was taken away, "Go—this is the proudest day of your life. Take my carriage and demand the apartment of my friend the King of Poland; I shall pay every expense." The fracas ended by the *Prévôt des Marchands* being appointed director, M. Visions reduced to be his deputy, and all the Italians in Paris dismissed by the Government.

Gluck had left Paris in 1779, but he was succeeded by another eminent composer, Sacchini. His operas, *Rènaud* brought out in 1783, and *Œdipe à Colonne* in 1787, obtained complete success. Gluck died in 1787, and his rival, Piccini, generously proposed to perpetuate his memory by the establishment of an annual concert, to consist entirely of his compositions. The warfare between the two parties of which these men were the chiefs, had a most beneficial effect on French taste in music, and contributed more than anything else to raise it above the style of the productions of Rameau. The comic operas of Gretry had the same useful tendency, and were succeeded by those of Dalayrac, whose *Nina, ou la folle par Amour* created a great sensation.

Gossec composed a great number of successful operas which are now forgotten. He was put at the head of the *Conservatoire de Musique* along with Mehul and Cherubini, when that institution was established in 1795, and remained in it until a short time before his death in 1829 at the age of 96 years. "All Paris," says a French memoir of him, "remembers the venerable composer, bent beneath the weight of years, quitting his lodgings precisely at five, to repair to the *Théâtre Feydeau* (he lived at the village of Passy.) He always halted halfway at the *Café des variétés*, and after taking his coffee resumed his course, and was found immediately after the opening of the doors, in his accustomed corner of the pit. Like a veteran, he continued to the last, faithful to the post of his early glories." A short time before his death he suddenly fainted in the street, and when on recovering his senses he was asked where he wished to be taken to, he replied; "to the *Opera Comique*."

Salieri, a pupil of Gluck's, brought out in 1781, *les Danaïdes* in the name of his master with great success, and in 1787 composed the music of *Tarare*, an Opera by Beaumarchais, which had been read to private circles for three years before by its author. It was founded on an eastern tale, the music was considered to be of great merit, and it drew immense crowds, perhaps owing to the political notions mixed up with it, which suited the temper of the times. Another disciple of Gluck shortly followed, the more celebrated Mehul, a Belgian, who was found at 16 years of age hiding in the theatre to hear the performance of *Iphigénie en Tauride*, and was taken in hand by Gluck. He produced many pieces during the Revolution, and in 1806 excluded the violins from the orchestra during the performance of his *Uthal*, substituting violas for them. The effect was dull and monotonous, and Gretry who was present, whispered to a friend near him, "I would give a louis to hear a cricket chirp just now." His master-piece, *Joseph*, appeared in 1816, and is considered to be a work of noble simplicity in its style, and pathetic beauties in its melodies.

We now come to the contemporary era in French music, over which it will be sufficient to cast a very hurried glance, as no doubt every person is more or less familiar with the most celebrated composers of it, and their productions. The most remarkable of these are Cherubini, Spontini, Herold, Auber, Meyerbeer and Halévy. The first was born at Florence in 1768, and produced his Opera *Demophon* in 1788, which was followed by many others, *les Abencerrages*, his last, coming out in 1813. He was more celebrated for his church music. Bonaparte, when first consul, did not seem much to relish his operas, and once remarked to him, "my dear Cherubini, you are certainly an excellent musician, but really your music is so noisy and complicated that I can make nothing of it." To which the composer replied; "my dear general, you are an excellent soldier, but in regard to music, you must excuse me if I don't think it necessary to adapt my compositions to your comprehension." This reply annoyed Napoleon, for some years afterwards he wanted a *maestro di capella* and offered the office to Mehul, who suggested Cherubini; but Napoleon replied haughtily, "I want a *maestro di capella* who will make music, and not noise, and he appointed Le Sueur. Cherubini was a director for some time of the Conservatoire, and died in 1841 at the age of 80 years. Spontini's principal work is *Semiramis*, brought out first

in 1803. He, Berton, and Le Sueur may be placed in the same class; their works are now out of date. Boieldieu obtained a somewhat greater reputation; we know his compositions by *la Dame Blanche*, still occasionally produced on the French stage. It is founded on Scott's novel, the *Monastery*, the words by Scribe, and is considered to contain many fine passages. Herold brought out *Marie* in 1826, and *Zampa* in 1831, the latter resembling Don Giovanni in its plot. A few years ago it was Italianised at her Majesty's Theatre in London, and much admired. Auber's Operas, *Fra Diavolo*, *La Muette de Portici* (*Masaniello*), *Les Diamants de la Couronne*, *Le Domino Noir*, and others, are well known to the public, as well as his brilliant style of music, on which it is unnecessary to dwell. Meyerbeer was born at Berlin in 1794, and was the son of a banker in that city. He was a pupil of the Abbé Vogler, a teacher of the old German school, but happily went to Italy, where he improved the severe style of his native country. His *il Crociato*, performed at Venice in 1825, gained him great reputation, and showed that he could combine the softness and flowing character of the Italian with the strict harmony of the German melody. He went shortly after to Paris, and applied himself to the French Opera, bringing out *Robert le Diable* at the *Académie de Musique* in 1831. It will be seen hereafter that it met with immense success. The words are by Scribe, who also wrote the libretto of his next piece, *les Huguenots* performed for the first time in 1836. This composition marks the present taste of the French theatres for horrible exhibitions and massacres, strong choruses and stunning music. *Le Prophète*, which came out in 1848, has equalled its predecessors in reputation, and has been translated and played in Italian and German. It is somewhat gloomy and monotonous in its expression, but the effect is generally grand and dramatic. Halévy has enjoyed a great name in France for many years, founded in the first place on *la Juive* and many comic Operas, *Guido et Ginevra*, *le val d'Andorre*, and others. His *la Tempesta* also produced considerable effect and won fame for its author. Some of those shall be noticed hereafter, as well as the effect produced by them on the Parisian public. The only remaining name is that of Adolphe Adam, whose *Pastillon de Longjumeau* is well known, and has become popular in many other countries besides France. He died in the year 1847, shortly after producing his ballet of *la Fille de Marbre*, in which Fanny Cerito danced along with Carlotta Grisi and M. Saint Léon.

The most celebrated male vocalist that France perhaps ever gave birth to, was the famous Garat, who was the son of an advocate of Bordeaux. He had never learned music, and sung merely from ear, but his performances as an amateur delighted even the best judges in the musical world, Piccini and Sacchini his contemporaries. He attracted notice first in 1784, by singing through an entire Opera, not omitting the violin accompaniments and airs of the ballet. Contemporary with him was Chardin, another first rate tenor, and since then Lais and Elleviou became distinguished both as theatrical and church singers. The artistes of our own times will be noticed hereafter, and their merits and characters discussed. It is strange, that Madame Malibran, perhaps the greatest female singer that ever came from France, never devoted herself to the support of the Opera of her own nation, but confined herself exclusively to Italian singing. This perhaps was caused entirely, by her having owed her first great success to her efforts at Her Majesty's theatre in London. We therefore have nothing to say of her performances, as we are confined completely to the artistes of the Académie de Musique.

It would be altogether superfluous, and no doubt wearisome, to give any lengthened account of the different managers, who were placed at various times since its foundation at the head of the *Académie de Musique*, or the numerous orders made at various times by the French Government respecting it. During Lulli's time, as before noticed, after the death of Molière in 1673, the theatre of the Palais Royal was given over to it for its performances. Female actors and singers did not appear on its stage until the year 1681. After Lulli's death, his nephew Fravime obtained a patent from the court for thirteen years, subject to a number of pensions to Lulli's family and others, and subsequently held the directorship for many years. Several persons succeeded him up to the year 1749, when the management was granted by Louis XV. to the city of Paris, whose officers took possession of and sealed up all the stores and appointments. Permission had been given in 1715 to hold balls and concerts in the house, for which purpose, arrangements were made to place the orchestra and pit on a level with the stage, to decorate the sides of the grand hall thus formed with pilasters, arcades, and mirrors, and to hang twenty-four lustres from the ceiling. The first ball was held in the next year on the 11th November, the feast of St. Martin, and, according to the French custom, was repeated every Sunday

until Advent, then taken up again on Twelfth day, continued twice or three times a week until the Carnival. Masks attended, the dancing commenced at 11 o'clock in the evening, and ended at 6 or 7 o'clock in the morning. Such was the origin of the present Bals de l'Opera, which form one of the chief attractions of Paris in the season. In 1763 the theatre of the Palais Royal was burned down, and the Opera was obliged to take refuge in the Tuilleries; but in 1781 the same fate awaited it in its new quarters, and caused it to be established provisionally at the Porte St. Martin. The Government constructed a new building for it in the Rue Richelieu, opposite the Royal Library, in the year 1794. Here it was domiciled up to the year 1820, when the Duke de Berri was assassinated by Louvel, and it was determined to take down the edifice and raise an expiatory monument in its place. This, however, was changed afterwards in 1830 into a public fountain, commemorative of the deed perpetrated on its site. A succession of different systems of management had been imposed by the Government since the year 1776, when six commissioners were named by the king to look after the proper direction of the theatre. In 1790 it fell into the hands of the municipality, and subsequently was given over to the actors themselves, as a private speculation, until 1794, when it was attached to the Ministry of the Interior. Under the Empire the chamberlain of the household had entire control over the management, and with the return of the Bourbons a royal commissioner was appointed, for the special purpose of the supervision of the Académie Royale de Musique. It was again given over to private enterprise with a large subsidy from the state, as will be seen hereafter, until the present Emperor brought it under the immediate inspection of the Government by appointing an administrator general, with a salary of 30,000 francs a year, for the purpose of carrying out its objects.

The building in the Rue Lepelletier, near the Boulevard des Italiens, where the performances of French Operas are now given to the public, was constructed in the year 1820, by the architect Debret. It communicates with three streets, one for private vehicles, another for hired fiacres, and the third is reserved for the use of persons on foot, who form their *quais*, as at all French Theatres under the orders of the police, along the Rue Grange Batelière. Two passages, with a range of small shops at each side, connect it also with the Boulevard.

The front is ornamented with arcades, and a projecting veranda, under which carriages can approach the principal entrances. The interior arrangements are very spacious, the body of the house itself being capable of containing nearly 2,000 persons. The stage is about 45 feet in width by 85 in length, with a space beneath it for the trap and other machinery nearly 35 feet in depth. Its singers and musicians are recruited from the Institution of the *Conservatoire de Musique et de Declamation*, where nearly four hundred pupils of both sexes receive gratuitous lessons, and compete for honors and prizes, preparatory to being ushered before the public at the Grand Opera.

Enough has now been given of the history of the *Académie de Musique*, and of the origin, growth, and progress of the French opera, to serve as an introduction of the reader to a review of the volume, which is placed first at the head of this article. It consists of a series of sketches, covering a space of about twenty years of the most recent period, and is written in that style of *badinage* so acceptable to the Parisian public. The French are most enthusiastic on the subject of their theatres, and particularly of the two which may be called national, the *Théâtre Français*, and the *Académie de Musique*, the first specially devoted to legitimate French drama, and the second to operatic productions in their own language. They are justly proud of these two institutions, which has served very much to sustain and keep alive good taste in literature and music amongst the people. It is very much to be regretted, that the same public spirit does not manifest itself in Great Britain, where every day the desire for national dramatic performances is dying out, and the productions of native talent are superseded by translations of foreign pieces, or representations in foreign languages, and by foreign actors. It is incredible the amount of money spent by the Parisian middle-classes in theatre-going, particularly during the finer months of spring and summer, when the whole population may be said to live in the open air. They deprive themselves not only of the luxuries, but also of many of the necessities of life, and become habitués of the different play-houses. Hence may be easily understood the avidity with which such a volume, as is now before us, may be received by the public of that gay capital.

These *Petits Memoires* must have a peculiar attraction for any one who has been acquainted with Parisian life for some years past. They will recall many amusing incidents and stories

circulated at the time, which formed the gossip of the town, and the delight of the *habitués*. They are also useful as a chronicle of the appearances and disappearances of many celebrated actors and actresses, singers and dancers, who held the stage for a while and commanded universal applause, but who are now passed away and almost completely forgotten. They commence in the year 1831, when M. Véron obtained the management. A tale is told of M. Royer Collard, then at the head of the *Division des beaux Arts*, having received 25,000 francs from his grateful friend for having procured for him this appointment. Véron was also editor of the *Constitutionnel*, and as such had allotted to him 152 shares in the Northern Railway of France, on which the premium was 60,000 francs, but which he sold the very evening he obtained them, at a profit of 50,000 in cash, to a man of money, in order to realise them at once. He was a most superstitious man, would never sit at table when the company numbered thirteen, and on one occasion had the son of his coachman dressed up, washed, sprinkled with *Eau de Cologne*, and placed among his guests in order to avoid the hated number.

The Academy of Music at this time had a support from the state of 810,000 francs, or about £32,400 sterling a-year. It must be very difficult for a manager to lose on such a transaction, and consequently, when M. Véron retired in 1835, and took the *Constitutionnel* all to himself, he was reported to be worth some 500,000 francs, or £20,000 a-year. In 1831 the opera of *Robert le Diable* by Meyerbeer was in preparation, the author having given an indemnity against loss of 40,000 francs. It was sung by Dabadie, Madame Devrient, Madame Damoreau, Mademoiselle Dorus, Nourrit, and Levasseur. Meyerbeer was in a state of despair during the rehearsals, but notwithstanding that a lamp-holder fell on the stage with a crash in the second act, in the third a scene nearly crushed Mademoiselle Taglioni, and in the last Nourrit and Levasseur disappeared down one of the traps destined for another, the whole went off with such *éclat*, that it laid the foundation of M. Véron's fortune.

The principal *dansuses* were Taglioni, the two Esslers, Duvernay, Roland, who possessed 50,000 francs in diamonds, Coquillard, Le Roux, &c. The *foyer de la danse*, or room in which the dancing exercises are carried on, particularly belonged to them. Here they came every day, their watering cans in their hands, and having sprinkled the floor somewhat,

and rubbed their slippers to it, began the evolutions of the bar leaning on it with one hand, raising their feet to the height of their heads, whirling around and going through all sorts of gymnastics, until they are almost disjointed. This process must be repeated every day, and one lesson passed over will sometime necessitate a constant drilling of a week, before the necessary suppleness is attained. "It is thought generally," says M. de Boigne, "that the *dansuses* at the opera pass their lives laughing, drinking, eating, amusing themselves, and making love. Poor girls! they exist only to work, perspire, eat cold veal, and beg for applause." The admirers of some of the *debutantes* gain their favor by menaces of being hissed by them or their friends, others make themselves ridiculous, making love to a creature who disjoins herself every moment, or flourishes her toe in the face of her *bien-aimé*.

Mlle. Duvernay was a child of the opera, that is, she learned her steps in the government class under the direction of M. Barrez, a retired zephyr. She very soon abandoned him for the more experienced tutelage of M. Vestris, who exercised a species of tyranny over her, but for each attack or insult inflicted by him, she gave him in return a sharp retort. This under-pacha of the opera was understood to prefer grape in a bottle to grape in a cluster, and one day that he remarked to his pupil, "You are wrong, Mlle., in fighting against me, I will smash you. It is the case of the earthen jar against the iron pot," alluding to one of the fables of La Fontaine. "The iron pot," said she, "it is the wine pot you mean;" and this nickname of wine pot stuck to the pacha during the rest of his career. He died at the age of 83 years, in consequence of having seen an advertisement for a dancing master at Calcutta, but that anyone presenting himself should be a chiropodist. Some ten or twelve years ago, might be seen in the *rue St. Eustache*, a huge tooth hanging from a window and under it this legend: "Jean Congo pulls out teeth and gives lessons in dancing at the fairest price." Mlle. Duvernay appeared first in the character of Miranda, in *la Tentation*, and was cast upon the stage from the midst of a witch's diabolical flaming cauldron, to charm the spectators with her youth, freshness, and timidity. She fled from the stage, and the too ardent pursuit of a lover, to the quiet cloisters of a convent, but managed by an anonymous letter cleverly to reveal her retreat, and be brought back to the scene of her triumphs. A Russian admirer presented

leads to the lodge of Mother Crosnier, who in her capacity of *conciierge des coulisses*, presided at the private entrance of the artistes of the Opera. She was one of the characters of the theatre, not that she ever appeared upon the stage during her service of 40 years, during which time she had not seen a single opera or ballet performed, had never been absent or sick even once, or received a single reprimand, or asked for leave to absent herself. Every evening she saw defiling before her, the whole company of performers and scene-shifters, backwards and forwards from five o'clock in the evening until two in the morning. Each of the passers by saluted her politely, according to the usual habit of the French, and addressed her, some as *Madame*, others *Mame*, others *Mère* or simply *Crosnier*, but the name of *La Mère*, given to her one evening by the singer Nourrit, appeared to arouse her ire; he did not repeat it. Her cold grey eye watched with the most scrupulous care, lest any foreign element should attempt to gain admission. She gave good advice to the *Figurantes*, and guarded them against the too hot pursuit of their ardent admirers. Once a young gentleman tried to bribe her with a piece of twenty francs to pass a note and bouquet to Mlle. Olympe. When he came back for an answer, she returned him the note unopened, and presented the *Louis* to a beggar girl, who stood in the passage. When each representation was over, she went round the theatre, a dark lantern in her hand, along with an inspector and fireman; visited all the boxes, and saw that the fires were extinct. The fortunes and lives of an immense quarter of the town were in her hands; but they might all sleep in peace, Madame Crosnier was their angel guardian.

Some operas which M. Vèron brought out during his directorship from 1831 to 1835, did not produce much for the strong box. *Gustave III.*, by Aubert, had some success at first, but it speedily fell to a very low level. It owed its first success to the care of M. Duponchel, the sub manager, who although suffering from a swelling of the hip, and confined to bed, sat up, and supported on one side by M. Gère the master dresser, and on the other by the mistress dresser, caused every one of the actors and actresses to defile before him, and exhibit their costumes, and receive his orders. It accordingly was received by the house with great enthusiasm for a time. Cherubini's piece of *Ali Baba* was a clear loss of

50, or 60,000 francs. Its author could not understand how it did not succeed, and attributed this to everything, but the badness of the music. *Don Juan* was well brought out in 1834. Nourrit acted Don Juan; Levasseur, Leporello; Mlle. Falcon, Donna Anna; Mlle. Dorus, Elvira; Mme. Damoreau, Zerlina. No trouble or expense was spared on the appointments, costumes, and decorations; still it did not pay. Mme. Damoreau passed shortly after to the *Opera Comique*, where for ten years she reigned supreme. The Ballet of *la Tempête* was got up for Fanny Essler, who it was expected would make up for the absence of Taglioni. She was looked at with surprise running on the tops of her toes, so lively, supple and active, but she did not conquer the throne of her rival. Fanny Essler was the most ravishing expression of terrestrial sensual dancing, as Taglioni was the incarnation of the aerial and modest. The one pleased the men, the other the women, and *la Tempête* produced much less cash than was expected. *La Juive* by Halévy was the last opera brought out by M. Véron, and it had certainly a good run and full boxes, and the manager shortly after gave up his place, retiring with a fortune of 900,000 francs, some £35,000 sterling.

Two of the most remarkable peculiarities of the French theatres are the *claqueurs*, regular organized clappers, and the ticket merchants. The public in France do not take any trouble about applauding; they sometimes may hazard a bravo, or try a slight hiss, but never go so far as to exercise the right to applaud. Hence arises the necessity for hired clappers. Many of the theatres have endeavored to do away with them, but they were found to be absolutely indispensable. The principal head of the *claqueurs* in the time of M. Véron was Auguste; he was proud of his hands, never disguised them with gloves; his thick whiskers, ring on finger, glaring shirt studs, short trousers, and shorter waistcoat, at once betrayed his calling. Every evening he presented himself at three o'clock at the proper office, received from 40 to 50 tickets, some of which he sold, and with the others passed in his troupe by the *Porte Croisier*, and took up his position at six o'clock. The actors and actresses handed over to him many of the tickets, which were allowed to them, and from one he received in the space of 15 years, value for 55,000 francs. Fanny Essler had occasion to be displeased with Auguste, and he was displaced by *Santon* from the Gymnase. The next day

Auguste appeared before the irritated *dansense*, begged of her to get him back his place, laying at her feet at the same time a pocketbook, and requesting her to distribute its contents, 30,000 francs, to the poor. The empty pocket-book was indignantly refused, but he regained his place. An angry lover once paid him twenty-five louis to hiss the lady, who despised his addresses; but the *figurante* was applauded in the most vociferous manner. *Auguste* when reproached with his treachery responded, "treachery! call it a stroke of genius, M. Le Comte; I could not hiss Mlle.——, my principles forbid me." His successor as leader of the *claque* was Porcher, about whom an absurd story is told of Alexandre Dumas, having called one morning at his house in a cabriolet, first borrowed from him three louis, and then paid one of them to Porcher's servant woman for a piece of confectionary made at the house, and that this circumstance was the cause of Dumas not being admitted into the French Academy.

The ticket merchants are another necessary evil, and were at one time the same persons as the *claqueurs*. Any one who has approached one of the French theatres during the day, must remember shabby looking men, who importuned him with, "A box, sir, a box, cheaper than you'll get it at the office." This traffic began with authors of pieces, who usually received a number of tickets for friends, and then sold them to the merchants. One M. Armand d'Artois paid for the education of his son with them. Scribe, instead of his gratis tickets, agreed with the management to receive 11½ francs for each time one of his pieces was played. This brought him in a very considerable revenue. In 1832 the ticket merchants, when *Robert le Diable* was brought out, formed themselves into a *queue* or string, as the applicants always do at the French ticket offices under the direction of the police, and having bought up all the tickets, the real spectators could get none. M. Véron, afraid lest the public might suspect him of complicity, endeavored to prevent this traffic, and actually beat one of the merchants, an ex-cobbler, who would not afterwards appear to prosecute before the police. Still various tricks were played to obtain the tickets, hussars, lacquais, provincial ladies were employed to purchase, who were all found out. Now an improved system is adopted; the merchant has a large capital, and purchases from M. le Duc — or M. le Baron — his spare tickets, while he is in the country, or at balls, concerts or other places of amusement. This is not a very aristocratic

course for the noble, but the taste of his wife for lace, crinoline, and diamonds must be supplied in some way, or others will supply it for him. Hence also the cheapness of these tickets. Frequently, however, when there is no demand, these merchants lose very considerably; this is called *boire un bouillon*. On the other hand, the prices sometimes rise enormously, the stalls to 50 or 60 francs, and the boxes to 2 or 300; their fortunes are made. The management have occasionally been obliged to repurchase tickets, with which to supply their friends, and on one occasion, the lady who was thus provided with a box, had been presented by the merchant with a magnificent bouquet. We all know how the music shops in London supply the public. In Italy, in the neighbourhood of the theatres, for a proper consideration, a small key is given, which opens the box or stall, and is redelivered to the proprietor on coming out again. But there are also rogues among these merchants; one of these sold to an English family in 1840, a ticket at a small price, stating at the same time, that the king was going that evening to the opera. The news spread, and the office was besieged, but the statement turned out to be unfounded, and the indignant body of honest merchants sought out the English family, and repaid the money. In this handsome manner was the *entente cordiale* re-established between France and England.

In 1835, M. Véron retired, having sold his privilege for eighteen months to M. Duponchel for 244,000 francs, and the new manager was approved of by M. Thiers, the minister of public works. M. Duponchel, however, had exhausted his pocket, and was obliged to apply to M. Aguado, who took half the receipts and paid 122,000 francs. This latter gentleman had been a major at Ceuta in 1808; served under the French in the Peninsula, was at Victoria in 1813, and subsequently in Paris sold umbrellas and Eau de Cologne of his own manufacture. In 1820, he was worth 500,000 francs, undertook the Spanish loan, and gained enormously by paying regularly. He became then general banker to the Spanish government; and was made Marquis de las Merismas, but never used the title, as he was a younger son of the Conde de Montelirios of Seville, and in Spain younger sons do not bear titles. He was a great friend of Rossini, and a M. de Cases, whose advice in banking matters cost him as much as 600,000 francs at one time. He possessed a handsome chateau called

the *Petit-Bourg*, which was destroyed one fine day by the Orleans railway running through it. As early as 1831, he had joined M. Véron in the management of the opera, supplying very large funds, and presenting many gifts to the poor actors and actresses, one of whom, formerly a man of station, received from him every year a pocket book containing a handsome sum. His son Alexander, an officer in a provincial garrison, had an intrigue with some married lady. The affair was discovered, and the husband furious, but the general commanding sent off the young Aguado to Paris with a letter to his parent, explaining the whole matter. The father did not allow him to remain an hour in the capital, and sent him back again with an injunction not to dishonor his epaulets, and not to kill the husband. The fracas was fortunately arranged.

M. Duponchel's first Opera was the *Huguenots*, which he brought out on the 29th February, 1836. Meyerbeer, the author, had made an agreement with M. Véron to produce it on a certain day or to pay a fine of 30,000 francs, and the day being past, M. Véron, retiring from the theatre, demanded the money and was paid it. M. Duponchel wishing to have the piece, offered Meyerbeer back his 30,000 francs, of which, however, he would only receive 20,000, as 10,000 of the fine had gone into the pocket of M. Scribe, the writer of the words. Besides this, Scribe was entitled to a gift of 1,000 francs on each act, and the opera being one of five, 5,000 francs were added, so that the writer got before the performance a sum of 15,000 francs. Notwithstanding this, another poet, M. Emile Deschamps was engaged to polish up the grand scena in the third act. The performance brought in very large receipts, owing to the admirable singing of Nourrit, Mlle. Falcon and a young girl, Maria Flécheux, who acted the part of a page, and displayed a fine voice and well turned limbs. Unfortunately she was shortly after seized with consumption, and her passing glimpse of fame shut out for ever.

M. Duponchel was not satisfied with having one such good singer as Nourrit, the latter might be incapacitated at any moment by a slight cold, and the public disappointed. He accordingly went about searching for a second tenor, and his friend Armand Bertin of the *Journal des Débats* discovered one, Duprez, who was at that time singing in Italy. *Armide* had been sung by him at the Théâtre Louvois, and Ruolz had written *Lara* for him. The manager, however, did not wish to

engage him, without fully informing Nourrit of his reasons, which satisfied the latter completely, and the two singers became the greatest friends. Madame Duprez, who was also in Italy, and a very poor voice, was also engaged at the request of the husband, at an additional expense of 30 or 35,000 francs. Such was the state of things at the end of March, 1837, when *La Muette de Portici* was brought out. Nourrit came to his stall a short time before the piece opened, was met there by M. Duponchel, who left him shortly after exceedingly well in voice. As he was about, however, to quit the stall, his servant came to him, and throwing his cloak over his shoulders suggested that he should sing his best, as M. Duprez was in the house. This intelligence petrified, almost paralysed, Nourrit. He was suddenly seized with a severe hoarseness, obliged to give up his part, and the next day when M. Duponchel called on him, he appeared to be in a high fever, and demanded to be set at liberty from his engagements. On the 4th of April *les Huguenots* was produced, and he took his leave of the Parisian public, amidst immense applause, which was shared by Duprez. Fanny Essler was at this time dancing the *cachucha*, and the season produced very large profits for the management. Madame Duprez broke down completely in the rehearsal of *Guido et Ginevra*, her engagement was cancelled, but that of Duprez was raised to 70,000 francs.

The Italian Opera had just been burned, its rival therefore, the French one, was in the ascendant. M. Duponchel proposed now to M. Aguado a huge speculation and monopoly, to unite under one management, the London Italian Opera, that of Paris, and their own. M. Viardot was put at the head of the Parisian one, but they could not obtain that of London. On this account the scheme was broken up, and a new contract entered into much to the advantage of M. Duponchel. M. Viardot married his *prima donna*, Pauline Garcia the sister of the celebrated Malibran; M. Aguado made an unfortunate excursion into Spain, from which he never returned, and a law suit was instituted between M. Duponchel and M. Viardot, which ended to the advantage of the former. He revived his old scheme of having two tenors, a companion for Duprez, and was so fortunate as to meet with *di Candia*, now called Mario, the manner of whose introduction to the public, being somewhat peculiar, will be given in the writer's own words, which must necessarily suffer somewhat by a translation.

The attention of the highest Parisian society, of the most aristocratic saloons, had been for some time fixed on a young non-political Piedmontese refugee, whose ravishing voice created a *furor*. His age, birth, adventures, all contributed to his success. The circumstances which had brought him to France were talked of in private, and even in public. He had incurred the anger of his father, a severe and religiously inclined man—though a general—on account of some trifling debts, when a final prank brought his crimes to a climax. Listen and shudder! He was in garrison at Genoa along with his regiment, the Sardinian *chasseurs*. The Italian women are considered soft-hearted; the Genevese are, in this particular more Italian than the others. A well known countess received somewhat lightly the attentions of the young seducing officer. She yielded, but could not do so without publicity; all knew of their intrigue the next day, perhaps the very eve of the day when it commenced. The count beheld and grew enraged—a strange thing in a country where husbands, more complacent even than their wives, see nothing, and do not wish to see anything. He became really angry, this ridiculous husband, on the pretext that he was tired of the caprices of his wife, which numbered as many as thirty-three! What a female Don Juan! It was all very well telling the count that it was not the young officer's fault, that he had only come as the thirty-fourth; that he would have preferred being much sooner; that it was unjust to cast upon an innocent man all the jealousy concentrated on the other thirty-three guilty; it was of no avail. The count had sworn that his forbearance should go as far as thirty-three, no further, and he kept his word. He was inflexible, and being well to do at court, lodged a complaint. The young officer was condemned to join the dépôt of his regiment at Cagliari in Sardinia; this was exile, vexation, death. He protested against this barbarous order; he appealed, but the husband being more powerful than the lover, the order was confirmed. The officer then gave in his resignation; it was not accepted; the authority of his father, supreme at that time in Piedmont, was opposed to the resignation. At twenty years of age one's future happiness, often one's life, is sported with for trifles not worth a few months of exile at Cagliari; the young fool did not yield to what he called an injustice, he hid himself in the very boudoir of the countess. It was a bold stroke, but he knew very well that they would not look for him under the nightcap of his enemy, and on the first opportunity he escaped to France. Soon afterwards he was in Paris.

Paris was an improvement on Genoa. The handsome refugee obtained everywhere a sympathetic reception and consolations of all sorts; he soon forgot his countess near other countesses and marchionesses who had not yet arrived at the fatal number of thirty-three; he lived therefore happily, loving and singing; but it is a dear business, loving and singing in Paris.

La cigale ayant chanté
Tout l'été

Se trouva fort dépourvue
Quand la bise fut venue.

Our officer found himself in as great a state of deprivation as the grasshopper after singing. Was it during the winter or summer? But the season had nothing to do with the matter; he was a man of honour and energy, had heard it a hundred times repeated to him that he held 100,000 francs a-year in his throat, and while waiting for these, he decided with a heavy heart to accept the fifteen hundred francs a month, which M. Duponchel offered him to come out at the opera. This young Piedmontese was no other than di Candia, since so celebrated under the name of Mario. It was not without hesitating for a long time that di Candia put his signature at the foot of the engagement, which was brought to him. At the last moment, when about to change his name, the name of his fathers for that of Mario, the noble and brave young man wavered. Alas! in the world he would not have signed, but he had in his own country and elsewhere friends, whose services he had accepted, and his honour revolted at the idea of paying them only by gratitude. At a dinner given by the Comtesse Merlin, at which assisted Prince Belgioso, M. Duponchel and many friends, di Candia, pressed, maddened by advice and praises, completed the deed, which has obtained for him now such a handsome and honourable fortune. Di Candia did not lose his friends by going on the theatre. Subsequently he was able to return to Piedmont and revisit his family, who opened their arms to the prodigal son, metamorphosed into a great artiste, a *millionaire*, a rather improving circumstance. On the 2nd December, 1838, after more than a year's study under the direction of Michelot, Ponchard, and Bordogni, Mario appeared in the part of *Robert le Diable*. In spite of the emotion, very naturally resulting from so bold an attempt, he placed himself at once in the first rank of singers; and every one coming out of the theatre, thought and said:—'What a delicious voice! But he will not stay at the opera. Mario will replace Rubini.' It was the best eulogium of the young artiste which could be made, and futurity has taken on itself the task of verifying it."

M. Chretien Urhan was the first of the second violins, and the Trappist of the orchestra. He was not devoid of talent, for the Empress Josephine had put him in the class of *Le Sueur*, and he was well taught; but he had mistaken grievously his vocation. He fasted on Fridays and Saturdays, and was never known to raise up his eyes towards the stage, to look at a singer, much less a *danseuse*. One evening, however, he suffered a temptation, and by chance saw Fanny Essler's toe. For one month he put himself on bread and water. An accident happened another time to Madame D—— and the whole house shuddered. This attracted the attention of M. Urhan and he looked upon the stage, but almost died on the spot. Since then he wears sackcloth under his clothes, and languishes under the weight of his sin. The ladies of the *corps de ballet* and the gentlemen of the orchestra send him

glowing billets-doux or cover his music with amorous sketches, substituting for the pious books, which he reads between the acts, the works of Paul de Kock. He is the wretched butt of the orchestra, and all because he has mistaken his vocation.

The stage box on the second row is said to be *en plein chant*, that is, exclusively devoted to the use of the first female singers, who, after they have performed their parts, repair hither to criticise the acting of those still upon the stage. Two rows above this is the *four*, dedicated to the presence of the secondary divinities of the dance, and here Mlle. Héloïse de France, and Mlle. Céleste exhibit themselves to advantage. The life of the former was rather romantic, her death was dramatic. One day last year a Mlle. Clarisse rushed into the Jockey Club in Paris, her hair flying about and succeeded in penetrating to the card-room, where she shrieked out; "help, help! Héloïse is dying." Two or three persons followed her to a miserable garret, in which Héloïse was stretched almost in the agonies of death, self-poisoned by laudanum. With the greatest difficulty and by the constant care of an eminent physician, she was restored to life, and returned to her duties at the opera. But a few weeks afterwards she disappeared altogether, and has not since been heard of. Mlle. Céleste's story is very different. A young M. Moncade meets a young girl, with beautiful light hair and in rags on the Boulevard, and interested in her appearance gives her a louis and goes away. The next time he sees her, she is married to his own valet, Joseph; then she appears magnificently dressed at the Café Tortoni in company with some of his friends, and finally she enters the Opera, where she captivates the heart of M. Moncade himself.

The pupils of the Conservatoire have their box on the fourth tier, that they may profit something in their profession by the lessons in singing. Meyerbeer and Scribe have each their quarters, and look down upon the fate of their own productions. M. Rothschild may be also seen there trying to forget the millions which passed through his hands during the day. Even this asylum is not sacred to him; often have unfortunate speculators in shares endeavoured to force their way to him. Once such a person, of a very martial mien, with bristling moustache, passed in spite of the door-keeper, and presenting himself before the banker, demanded to have allotted to him a number of shares, for which he had applied.

M. Rothschild politely requested him to be seated, asked him to remain until he should return, and going out left his tormentor to his own reflections for the rest of the evening. This, however, did not satisfy the bully; he made a similar visit to the capitalist's own house, and flourishing a sword threatened to run him through the body, if he did not accede to the request before made. The banker very coolly replied; "If all those who have threatened to run me through had kept their word, I should have been long since reduced to serve as a pincushion. I hope to have the pleasure of seeing you again, sir,"—and he bowed out the bravo, blushing with confusion.

The year 1837 was one of grand receipts at the opera; that of 1838 would have been the very contrary but for the appearance of Mario near its termination. Mademoiselle Falcon had lost her voice, and the piece of *Guido et Ginevra* by Halévy and Scribe had failed. Madame Gras played the principal part; it was considered an ominous thing to have three G's meeting, and Valenciennes, the place where Mme. Gras was born, was said to have produced only lace-makers, not artistes. The same town had contributed, through its municipality, the sum of 1500 francs a year, for the musical education at the Conservatoire of Mlle. Dorus, and was imitated by Versailles in the case of Mlle. Dobrée. Both those ladies carried off the first prizes for singing, but never became *prime donne* at the opera. At one of the representations of *Guido et Ginevra*, a side scene took fire, while the curtain was down, and threatened to roast the players. It was not seen by the firemen, who are always on guard, in fact their captain had been set to sleep by the music. M. Duponchel, however, caught a glimpse of it with his glass, and rushing on the stage amidst the confusion, cried out to the actors: "stand firm at your posts every one. The first that stirs will be fined. Five francs to every one that remains." It was absolutely necessary not to frighten the people in the body of the house. Not one person left the stage, the engines were brought into play, and in less than ten minutes the flames were extinguished. Then M. Trévaux, the orator of the *troupe*, came before the curtain, informed the audience of the danger they had run, and the happy termination of it.

One day five friends, men of station in the world, put their heads together, and the result was that all the walls of Paris

were covered with the Cabalistic words. "Fen Duponchel"—the late Duponchel. In 1835, or '36, placards had been similarly posted all through France with the inscription, "Crédeville Voleur,"—Crédeville the robber. But our friends went further, and sent out notes of invitation, and cards, deeply bordered in black, to all the friends of the management, to attend the obsequies. In due time a crowd of mutes arrived in the court-yard, and soon covered the gateway with mournful draperies in white and black, and erected a bier. Strange to say, the first person they met was M. Duponchel himself, and one asked where they were to find the body. M. Duponchel disclosed himself, but still they insisted on burying him. Then came a crowd of mourning friends, and the choristers, with their letters of invitation in their hands. The joke was soon explained, and the affair ended by a *pour boire* to the mutes, and a grand dinner at M. Duponchel's house, where every one was content, except a M. Maillot, who has given his name to the tights worn by the *figurantes*. He was annoyed, as he said, because he had lost his day. "But I have gained mine," replied M. Duponchel, and the matter ended. This mystification had the most fortunate consequences; the report of it brought successive overflowing audiences, and the newspapers, which never praise the living, published sympathetic reports of M. Duponchel's virtues, and lauded him to the skies, because truth is due to the dead.

Fanny Essler appeared shortly after in the *Gypsy*, the first piece which M. de Saint Georges produced for the opera. The author is the rival of M. Scribe, is remarkable for the delicacy of his tastes and toilet, and for his attachment to his old servant Marguerite, who rules his household with a rod of iron, and gives bad dinners to his friends, when they come to celebrate the success of a play, which she does not like. M. de Saint Georges has been falsely accused of keeping several secret co-labourers, whose productions he signs and sends forth as his own. A more pardonable freak appears in his habit of making his bathing man at Dieppe pour into the water before he enters it, half a dozen bottles of genuine Jean-Marie Farina's Eau de Cologne; no doubt the tenderness of his olfactory nerves cannot bear the strong salt perfume of the sea,

Madame Stolz had replaced Mlle. Falcon, whose voice

had not yet returned, but she failed in her part, and Mlle. Nathan was substituted, when suddenly a cry arose, "Nourrit is dead, he killed himself at Naples." The unfortunate man, over-excited, fanatically religious, and tortured with home sickness and the impossibility of returning to Paris, after an evening of unparalleled success, had thrown himself out of a window at four o'clock in the morning, and was killed on the spot. He left behind him a wife and six children.

Up to the year 1836 or '37 the balls given at the Opera were not allowed by the police to be attended by any persons in fancy dresses, and the ladies alone were permitted to wear masks. Musard, the author of the *Bals Masqué's*, had not yet extended his dominion beyond the Theatre des Variétés, and the Salle Valentino. An attempt was made in the latter year by some individuals, to introduce fancy dresses into the ordinary ball, but they were captured by the police, and thrust into the director's box on the stage through the window. They succeeded, however, in effecting their escape by the same issue, and were rediscovered in the dancing room, enjoying themselves with six young ladies of the corps de ballet and six bottles of champagne. This escapade created a revolution; M. Mira, the contractor for the balls, at length obtained a licence from the police to institute a regular masked and fancy ball, and though the licence was subsequently withdrawn, the ball came off, and the first of these magnificent assemblages, which form one of the greatest attractions of Paris, was inaugurated. The contractor was fined 10,000 francs by the police, which, however, it is thought he was not obliged to pay. The hero of the evening, Musard, was carried three times round the house in triumph, and a dance instituted called that of the *broken chair*, because the curule throne of the director was smashed to pieces on the occasion. Musard introduced also a stroke of strong dramatic effect in the shape of a small mortar, which electrified the assembly by its sudden discharge, and maddened them with the smell of its powder. The manner of conducting the old balls, and the conduct and intrigues of the persons who attended them, had been tiresome and pretentious, but the moment the *débardeurs* and *débardeuses* (ladies and gentlemen, both in the characters and dresses of boatmen of the Seine) came upon the stage, the *ton* of every thing was completely changed. The costumes became some of them extremely grotesque, others in the perfection of elegance, the conversation

was replaced by frantic cries and gestures, comical addresses and energetic familiarity. Unfortunately also licentiousness crept into the conduct of the dancers, notwithstanding the strict supervision of the police, and the intrigues obtained a marked significance in more than one or two instances. Still these balls produced a pretty round sum to the management, the first contractors having agreed to pay 40,000 francs a year for the privilege, and cleared for themselves nearly 100,000. In 1848, when Messrs. Duponchel and Roqueplan were joined, there being a considerable deficit in the funds of the theatre, M. Grinaldi paid down 250,000 francs for the contract, and relieved the temporary embarrassment.

One of the greatest evils consequent on these extravagant amusements, is the effect it produces among the assistants of the shopkeepers at Paris. Many of these foolish fellows imagine that while serving their lady customers, they have also produced an indelible impression on their hearts. They next manage to convey into the hands of the fair ones, who out of the pure love of intrigue so innate to a Frenchwoman, receive without any sign of denial, notes of appointment to meet at the *Bal del' Opera*. The presumptuous fools repair to the theatre in a dress which will be recognised, and either spend the entire evening vainly searching for the object of their affections, getting snubbed by wrong parties whom they address, and abused by their male companions, or are led into a maze of absurdities and expenses by *grisettes* or servants sent by the veritable mistress to carry out the jest to its end. This is not however, always the issue of such an adventure, as the following veritable history will shew :—M. Philippe B—— adored the adorable Madame de C—— who adored him in return. Her husband was of that extremely jealous disposition, which all wronged husbands participate in. Once the lover was obliged to leap out of the lady's window, and pass a freezing night in her garden, because of the unexpected arrival of the *Argus*, who watched over her. Another time being surprised in her chamber, at the Baths of Aix in Savoy, and the lady having cried out to seize the robber, he was obliged to allow himself to be taken off to prison, and had great difficulty in settling the matter. In fact the *liaison* became so dangerous that the gentleman began to repent, and endeavoured to break off the acquaintance. Madame C——, however, continued to write to him, and at length sent him a formal appointment for the ball

at the Opera, indicating at the same time the domino by which she would be distinguished. They meet, have a quarrel, M. Philippe B—— is about to pluck the mask from her face, when who should interpose, but the lady's husband. He reasoned with M. Philippe B—— on the impropriety of attacking a lady in the open ball room, and taking her, still unknown to him on his arm, was moving away when M. Philippe, thinking that Madame C—— would disclose every thing, and wishing to act as a brave man, appointed to meet the husband at the Café Anglais before five o'clock in the morning. On going to the Café M. Philippe found there a friend of his, M. Etienne, whom fortune threw in his way for the occasion, and to whom he related the whole of the previous facts. Soon after M. de C——, the husband, appeared in person, having descended from his vehicle at the door of the Café on the Boulevard, and left behind him ensconced in the corner, the real live Madame de C—— herself. He advanced to the box where the two friends were sitting, and the rest of their interview shall be given in the author's words.

" 'Can I speak before this gentleman,' said he to Philippe. 'This gentleman is my friend; I have confided everything to him.'— 'Everything?' 'Yes, everything.' 'Well, sir, this unfortunate woman has confided everything to me also.' 'Everything?' 'Yes, everything.' 'I am at your command; what is your weapon, your time?' 'Stop, Madame de C—— is off,' was the sudden interruption of Etienne. 'Madame de C——' cried M. de C—— furiously, 'you have said Madame de C——.' 'Etienne, Etienne, what have you done?' said Philippe in a sorrowful tone. 'Will you answer me, M. de B——,' said M. de C——, placing himself opposite Philippe, and staring at him with a cold menacing air; 'will you answer me; who was that woman with whom you left me at the ball of the opera?' 'And what right have you, sir, to ask me to render an account of my conduct? It is the second time to-night that you have interfered with me, and it has occurred twice too often.' 'Was that Madame de C——,' repeated M. de C——, beside himself. 'I have nothing to answer.' 'Was that Madame de C——?' roared M. de C——, more and more enraged; 'answer, sir, or I will——.' 'Not one word, not one motion more!' interrupted Philippe; 'Have I not already told you that I am at your command.' 'You avow it then? . . . you are not so cowardly as I believed you to be!' At these words M. de C—— sat down; he no longer doubted, he reflected; he was revolving in his mind the means of carrying out the desperate duel which was in preparation.

"What had passed between him and Madame de C——? Doubtless this husband so tender of his honour had been guilty of the very crime which he considered deserving of death in his own wife.

Doubtless he had listened and opened his heart to the lies, seduction, and hatred of an unknown woman, whom everything ordained him to distrust. Madame de C—— had skilfully caught at the plank of safety offered to her. While exciting her new and strange slave against Philippe, she had provided for herself an unexpected method of flight. And above all things it was necessary to fly . . . Everything else was left to chance.

"Etienne and Philippe were smoking; M. de C—— remained absorbed in his reflections. This silence could not be long carried on. Philippe interrupted it. 'Well, sir,' said he to M. de C——, 'I await your commands, when do you wish that my witnesses should meet yours?' 'What is the use of witnesses? What is the use of putting off what may be done here this moment? What do you say to it?' 'Waiter!' 'Sir!' 'Two swords.' 'Yes, sir.' 'And ten lamps on the Boulevard.' 'Yes, sir.' The waiter went out, M. de C——, Philippe and Etienne did the same thing. Swords and lamps were brought; the guests came to the windows, the drivers descended from their seats, the waiters of the Café approached, and the combat began. It was not a long one; at the second pass M. de C—— fell to rise no more. When the police arrived everything had returned to its usual quiet and obscurity. On the morrow Philippe received the extra bill of the Café Anglais. Between the lobster salad and the *entremets* of truffled partridges a curious side dish was brought in:—Duel—500 francs . . . Philippe paid it, gave ten louis to the waiters, and"

Vain efforts had been made to charm back again the voice of Mademoiselle Falcon, extraordinary means had been spoken of to effect it, and amongst the rest it was said that a glass bell had been placed over her mouth, and had succeeded in restoring it. To the great delight of her admirers she came out again in *la Juive* and the *Huguenots*, but only to disappoint them, and to burst out into convulsive sobs on the stage on the shoulder of Duprez. Madame Gras replaced her in *les Martyrs* of Donizetti, and Madame Stolz appeared in *la Favorite* and *Don Sebastian* by the same author. Baroilhet the famous tenor, sang in this last opera the barcarole, *Pêcheurs de la rive*, the second trope of which produced wild applause at the rehearsal. Madame Stolz, roused to jealousy, had the strophe suppressed; Donizetti on learning this became furious, and was struck with the first of these attacks of bewilderment, which ended by taking away his reason. In the last year of his intellectual life, he had composed twenty-two acts of operas, amongst them was *Don Pasquale*, and a *miserere* for the court of Austria. The excessive labor worked on his mind; he had already shewn various eccentricities, frequenting every evening seven or eight cafés, and always calling for rice-milk. At length

it became necessary to have him transferred to a mad-house in the Champs Elysées. Here he became resigned and silent; stretched upon a sofa in the middle of the garden, and covered almost with flowers, his head bent upon his breast, he passed whole days without a word. He could not even recognise his friend, Accursi, and the only thing that roused him, was the *Cavatina de la folie* in Lucia. He opened his eyes, and beat time to the music; but when this was ended, his head fell again, and he relapsed into his senseless state of existence. Such was the end of this great man.

In the middle of April, 1840, two of the best dancers quitted the theatre; Mademoiselle Essler went off to America, where she picked up more dollars than she could gather francs at Paris; and Mademoiselle Albertine departed on a visit of three months to London. This was a great loss to the stage. Meanwhile, a change had taken place in the management, M. Léon Pillet, from being a royal commissioner, was joined with M. Duponchel, and M. Edouard Monnaie took the place of the first. M. Pillet was a simple man, without vanity, and not dreaming of the fortune which his friends thought he should make at the opera, but he lost it. He was not sufficiently strong minded to resist noxious influences; he idolised Madame Stolz, and was led by the nose by his friend *le père Gentil*, both of whom ruined his prospects. From the 10th to the 20th of August the theatre was shut, and when it re-opened, it was without any effect. Mario had been dismissed and gone over to the Italians, and his place supplied by Marié, who deceived all expectations. Baroilhet was the only person who supported the end of the season of 1840, in *la Favorite*. Such was the result of abandoning all the arrangements of M. Duponchel.

A discovery had been made in the person of Mademoiselle Catinka Heinesfetter, sister to the celebrated Sabina Heinesfetter, a young lady, handsome and capable of improving her talent, but, unfortunately for herself, she was placed between the ill-will of M. Pillet, and the jealousy of Madame Stolz. Her singing, which was very respectable, was favorably received by the public, the management was against her, and she was obliged to yield. She went off to Bruxelles, leaving behind her at Paris a M. Caumartin, an admirer, for whom she professed the most extreme affection, and to whom she wrote periodical effusions in Germanised French. The Grand Theatre at

Bruxelles received her with open arms, she played with success the characters of Rachel in *la Juive*, and Valentine in *les Huguenots*, and found in the person of a M. Sirey, a new lover, while she was still corresponding with the old one at Paris. On the evening of the 9th November, 1842, on returning to her apartments from the play, she found M. Caumartin already there, having just arrived across the frontier. A supper for six persons was prepared, three young ladies of her acquaintance, M. Sirey, M. Milord, and herself. She invited M. Caumartin to join them, he appeared somewhat out of humour, but subsequently did sup. A quarrel arose between the two gentlemen, and the ladies, in order to appease it, left the room to go to rest. On their departure the fight began again, some abusive expressions were interchanged with blows of their fists, and strokes of their canes. At length M. Sirey fell to the ground, pierced by a cane sword, and crying out, "He has killed me." M. Caumartin cried out in reply, "He threw himself on me!" and then ran out to look for a doctor. When the medical man came he found M. Sirey dead, with nine inches of the sword in his body. M. Caumartin fled first to Paris, but afterwards gave himself up to the Belgian authorities, and was tried on the 19th of April, 1843, at the sittings of the criminal court in the free University. His advocate, M. Chaix, attacked the conduct of M. Sirey and Mademoiselle Heinefetter, shewed how the latter had played his client false, had roused him to the quarrel, and how both had done their utmost to irritate him. There was one bad circumstance against the prisoner, namely, the possession of the cane sword, from which it might be thought he had crossed the frontier with a premeditation to attack his rival. He replied on his examination, that he had got the cane made at Paris preparatory to a journey to Italy, and that he had come to Bruxelles for the sole purpose of returning to Mademoiselle Heinefetter the key of her room, which he held, as he intended giving up her society, and was about to get married. The jury acquitted M. Caumartin, but Mademoiselle Heinefetter was for ever ruined and dishonored. Her career was suddenly checked, the entrances of all the great theatres of Paris, London, Vienna, and Naples were shut against her. Such a costly luxury was it to have M. Caumartin for her admirer.

It is a curious thing to read an account the number of appliances necessary to bring out an opera, the different description of

scenes, traps, lighting apparatus, dresses, &c., but it would be wearisome to give even a sketch of them here. It may be mentioned that the expenses for bringing out a first-class piece vary from 100,000 to 120,000 francs, an enormous sum, requiring very large receipts to repay the management. To give an item, there are three sorts of slippers provided for the *danseuses*, drab, white, and flesh-colored. The first-class ladies are entitled to have their drab slippers renewed after every third performance, and their white or flesh-colored after every second. The second class, or the *figurantes*, receive a new pair of drab after eight, and the white or flesh-colored after six performances. It was found, however, that the latter young ladies had a strong eye to economy, and used to continue using the old, while they exchanged the new slippers for ordinary walking shoes. To remedy this evil, and compel them to wear what was provided for them, they now can only receive a new pair on delivering up the old, and this is done by consecutive numbers; number eleven being handed out of the stock, when number ten is given up.

There is a secret part of the Theatre, the *adyta* of this temple of the muses, of which it may be well to say a few words. The dressing room of the dancers is considered the most private and secret recess of the shrine, and it is generally considered that in it are carried on many of these intrigues behind the scenes so often spoken of. It is also usually thought to be adorned and furnished with the most expensive luxury; such is not the real fact. Except perhaps the dressing-rooms of *Miles. Nau, Falcon and Essler*, the rest are closets of six or seven feet square, somewhat resembling a perfumer's shop turned topsy-turvy. The entrance to them can only be effected through the scenes, and subject to a rigorous examination. In fact the only men permitted to enter them are the husbands, hair-dressers, and other indispensable nothings. Each first class *danseuse*, called *premier sujet*, has a closet to herself, the second, or *coryphées*, have one for two or three persons, and the third rank of *figurantes* must accommodate themselves ten or twelve together. One of these closets has got the name of *la loge des Minerves*, because it was for a long time frequented by six or seven of the most proper ladies of the *corps de ballet*. Even they, however, were obliged to admit a man amongst them, *M. Pointe* their hairdresser, confident, friend, daily journal and *pantalonneur*, that is stretcher of tights. He provided

them with all the little scandal of the neighbourhood, how Philibert, the valet of M. B—— had supplanted his master in the graces of a Madame Martin, and how M. Martin, not wishing that his wife should have any thing to say to any one not a gentleman, compelled her, a rich woman, to make over by deed to the valet a sum of 100,000 francs, and how the latter changed his name to M. de Saint Philibert. Or another tale of Mlle. B—— and her admirer Lord John, who having sent her a wreath of diamond by the jeweller's young man, along with a note requesting her acceptance of the little present by which he meant to obtain her favour, was surprised on the next occasion when he visited her, by her crying out that she had been robbed, and her exhibiting the note without the gift. Lord John was obliged to produce himself another wreath, and thus Mlle. B—— obtained double payment. On another occasion, in the absence of Lord John, this amiable young lady invited a number of her friends to a magnificent supper, but was at a loss where to provide the plate, that ordered by the mylord not having been yet delivered. In this state of distress she applies to another of her many admirers, Arthur ——— the type of devoted friends, and begs him to borrow from his father's head butler for one night only, the old gentleman's silver dishes, covers, tureens, &c. The young man does so, the plate is borrowed, and the supper passes off with the greatest magnificence, and some little elevation on the part of the guests. Arthur slept rather late, and when he got up, his father's plate had not yet returned. He hurried at once to Mlle. B—— to scold her, when the following scene took place.

"Mlle. B—— had already got up, fresh and pretty. It would be difficult to recognize the *caryphée* who had passed the night in tasting the cellar and the culinary productions of Chevet. 'And my father's plate?' asked Arthur in an anxious manner. 'It is no longer here, my little Arthur.' 'Where is it?' 'At my Aunt's.' 'Your Aunt's?' 'At the *Mont de Piété*, if you prefer that. This morning application was made for the bill of the supper; I was not in funds, and Chevet's man would not wait. To pay for the thing, contained I have disposed of the thing containing, and here is the result. I have received 8,000 francs, I paid for the supper, the balance was for the waiter and a present to myself. Embrace me, my little Arthur, and forgive your Aglaä.' Arthur forgave her, Arthurs always forgive, but they rarely have 8,000 francs at their disposal and ready to recover from the pawn-office the family plate. Arthur was obliged to confess the whole affair to his father, who was the victim, not with-

ous being tempted to prosecute the guilty persons, or rather the guilty one, for there was only one, and that was not Aglae. Her mother B—— in the silence of her closet, and without consulting her daughter, had concocted, perfected and accomplished, this master-stroke, and informed the young lady of it only on her return from the *mont-de-piété*."

Such is a fair example of the *historiettes* retailed in great numbers concerning the habitual conduct of these pleasant young ladies. It is brought forward here, not on account of any particular pleasure taken in detailing similar acts of villany, but to serve as a warning to some young fools, who may be tempted to put themselves in the power of persons of that class. In no case is the truth of the old adage, which speaks of evil communications, so entirely justified, as in the results which generally follow from connexions of the kind alluded to.

The management of the Académie de Musique no longer consider it advisable to engage the services of male dancers, whose performances might at all approach in artistic effect those of the female artistes. Whether it be that the contrast would not be sufficiently striking, or that excellence in dancing ought to be the peculiar privilege of the ladies, and their pirouettes alone ought to attract audiences, certain it is that the policy has been adopted of discarding all male competitors. Perrot, *le laid* or the ugly, was the last of those; he was inconsolable for having been banished from the opera, and tried every means to regain his position. He had met in his rambles with a young girl named Carlotta Grisi, who at five years of age had appeared at *la Scala* in Milan, and was at the head of the children there, where Cerito was first among the young girls. Later in her youth Malibran had told her to give up dancing, and learn singing; that her voice was admirable, and she ought to cultivate it. Subsequently she met Perrot, assumed his name and protection, and still continued to work hard with her feet and practise her vocal powers. She came out at the Theatre à la Renaissance in *les Zingari* as Madame Perrot, but was shortly after engaged for the opera, Taglioni being in Russia, Esler in America, and Lucile Grahn laid up with a swollen knee. She made her debut in the second act of *la Favorite*, much to the annoyance of Madame Stolz, who would have wished to retain for herself all the applause conferred on that piece. Madame Perrot resumed at the same time her old title of

Carlotta Grisi; and Perrot was discomfited in his endeavours to be included in her engagement. Every one knows the absurd pantomimes and incongruous dresses of the actors and actresses in ballets; how a gentleman in tights becomes a hero, and delivers from prison or a forced marriage a miserable victim in gauze muslin, and finally they dance themselves off their legs to celebrate the rescue. Such is the nature of all performances of this kind, but they are very paying things to the director, sometimes bringing in as much as 10,000 francs, some £400 in an evening. A very amusing account is given in these *Petits Mémoires* of the manner in which such a piece is got up, the duties of the musician and of the ballet master, the drilling of the *danseuses*, and the diplomatic intrigues of these ladies, but it would take up too much space to transcribe the passage, and a great deal of its *verve* should be lost or weakened in the translation.

When Mario and Mlle. Heinefetter were dismissed by M. Pillet, there remained to him only one resource to support his theatre. This was Paultier, a good singer from Rouen, but he required his manners, appearance, and dress to be educated, as well as his voice. After some months hard drilling under several masters, he was brought out in *Guillaume Tell*. Marié was close at hand to take his place in the second act, if he failed in the first, as was expected. He succeeded wonderfully, was applauded at the second, and called out at the third act, an ovation which had never been granted by the public to Madame Stolz. The part was repeated several times, and also that of Masaniello, bringing large receipts of 8 and 9,000 francs a night to the management. A misunderstanding had existed for a long time between the directors, M. Duponchel and M. Pillet, until at length, on the 21st November, 1841, the former gave up to the latter his share, and retired from the house. The year 1842 did not prove very favourable for the opera, in fact M. Pillet during the course of it was very much engaged in law proceedings with several of the leading artistes, in epistolary correspondence in the public prints, and various other matters which drew off his attention. He placed too much reliance upon the ascendant star of Madame Stolz, who was never able to attract sufficient numbers to the theatre, to make it pay. One sad thing, however, occurred during this season, which cast a gloom over its otherwise cloudless memory. Madame Stolz had a young female friend named *Sara*, who was much given to romantic dreams and melancholy presages.

She had fallen in love with a M. Taillade, one of the performers at the Circus, who reciprocated for some time her attachment, but finally went away, never to return. She fell into a deplorable state of affliction and tears, and spoke vaguely of poisoning, which no one believed. At length one day she rushed into her landlady's room, declaring that she had poisoned herself, and begging for assistance. The woman did not believe her, thought it was only one of her usual fits of despondency, and did not call in a doctor, until Sara had produced from her pocket a phial labelled: *Laudanum*. The assistance came too late, she died in a few hours after, and on searching her clothes another phial was found, containing water slightly tinted with poison, evidently shewing that she did not intend to kill herself, and in carrying out a foolish resolve, had put an end to her life by mistake.

According to the heathen mythology, *Æsculapius*, the god of medicine, was son of *Apollo*, the god of music. At the *Académie de Musique* the position may be said to be reversed, as the machine of the theatre could never be kept going, were it not for the provident care of the inspecting doctors. Without them the theatre would become a sort of hospital or infirmary, wherein every little foible contradicted, every hope deceived, or cupidity checked, gay pleasures or suppers over night, would conspire to ruin the director, and render him incapable of carrying on his office. M. Véron understood this perfectly, and immediately on his accession appointed medical men, who were to attend regularly, and a council of physicians to be called in on cases of importance. The former take their duty week about, one calls every morning and examines the artistes, who declare themselves ill. If such be the fact, they are dispensed from attending, and may treat themselves in whatever way they like; but if they are not really sick, and the doctor reports so, they must sing or dance whether they like it or not, or give up their pay. This rule, however, does not apply to the first class performers, called, *premiers grands sujets*, such as Nourrit, Levasseur, Duprez, &c., who are supposed to be completely willing to come forward. But the regular doctors' duty does not stop there, he must attend in the evening at the rise of the curtain, and not leave the house until the performance is over. Any little accident on the stage caused by a nail overlooked, or a badly closed trap, or an encounter with a side scene, or some caprice of a jealous danseuse, must be remedied

on the spot, so as not to interrupt the piece. Taglioni once when she was married, but judicially separated from her husband, had a medical council called in on the state of her knee, of which she complained very much. The council came to the resolution of applying twenty leeches to draw away the peccant humours. The animals contented themselves with pricking the part affected, and then fell off without drawing any blood. A physician present saw how the case stood, and had an interview with the lady on the next day. No doubt she confided to him her situation, and he, in order not to betray her, or to deceive the directors, sent in his resignation. Mademoiselle Taglioni did not dance for at least nine months afterwards, and then came out as lively as ever.

There is no one at all acquainted with the French stage of the present day, who does not know that the great supply of working material in words, has been contributed to the theatres of Paris by M. Scribe. His talent has been so prolific, that to enumerate the different pieces, which he has composed himself or signed with his name, would become very tedious and not at all instructive. Their statistics are something astonishing, when one begins with 300 vaudevilles, 100 operas, &c., and innumerable small productions, besides novels. They have gained for him riches, chateaux, cordons, honors of all sorts, and the entry to the Académie Française. It is not with these last we have now to deal, but with his character as a writer and dramatist. The volume before us judges him by his taste in furniture, and the construction of his library, pointing out the various books and passages from which he has borrowed the plots and some of the beauties of many of his works. It criticises also his style in a very minute fashion, citing several flagrant faults from eighteen different plays, which could only have crept in by the most careless negligence. The writer, however, does not condemn him wholly, as the following passage will shew :—

Does it follow, from all we have said, that M. Scribe has neither wit, talent, nor merit. Such is not our opinion; we are neither deaf nor blind, and least of all unjust. We will be the first to do justice to M. Scribe. We do not deny his success, what we wish to state is, that he often lays aside on the stage that moral sense which he possesses so intimately; that being a tedious and inaccurate writer he has gained his point without style or local coloring, with the aid of these little strings with which his stores are full; he is deep or profound in nothing, has skimmed over everything; that he

depicts manners only on their surface, men in *paletots*, and women in crinoline. He has pleased by his very defects a certain class, who adore the money-god on the stage as well as in town, and can do very well without grand or generous sentiments. M. Scribe created for himself a *bourgeois* party, who put entire faith in his impossible dukes, and imaginary German barons, whose states, always identical, only existed on the ideal map, formed in the author's imagination. One fine day this party itself became awakened to the truth, and astonished at its own preference for M. Scribe; it had at length discovered the strings, which had been concealed from it for nearly fifty years, and strings are only useful as long as they escape the opera-glass. M. Scribe's fame has not withstood the march of improvement in opera glasses. He is an author easily understood, it is only necessary not to forget his antecedents. All his productions and heroes are like one another, he only dresses them up in what he considers the fashion of the day. A skilful master of stage effects, fertile in expedients, but profoundly ignorant, he introduces a masked ball into the *Vêpres Siciliennes*, and a sofa in the time of Charlemagne; he speaks as no one else does, he says, *eune femme, c'mmencez la répétition*. Otherwise as a good husband, citizen, friend, and father, M. Scribe at home, in his own house, in the midst of his family, without ever changing his character, recovers the ground which he has lost as a literary man. He does not dislike money, but it is not to keep or hoard it up; he gets as much grist for his mill as he can, without appropriating it to his own use; he may take two or three tolls from the same sack, but he does not allow them to smoulder in his stores. M. Scribe gives and spends. In the use of his money there is nothing exclusive, nothing which marks the *artists*, his virtues are private, he delights in conferring benefits on his family, and distributing them with prudence and circumspection. He purchases estates, and does not deprive himself of any of the pleasures of this life: he is just now building for himself in the Rue Pigale, between the court and garden, a mansion whose fault will certainly not be excess of taste, and still more certainly not excess of economy. He will re-produce there his small saloons of the *gymnase*, which appear to him the beau-ideal of elegance and comfort. Such is M. Scribe, a *bourgeois* but a good one; his life is the epilogue of his compositions.

The office of director for the Opera is not one easily conducted, there are so many rivalries, so many pretensions and attentions to be looked after, that whoever undertakes the duty must make up his mind to continual annoyances. Among its greatest difficulties is that of managing the orchestra, which has an independent leader of its own, whose nomination belongs to the Conservatoire de Musique. Habeneck, who unexpectedly charmed the Empress Josephine at a concert by the elegance and fine style of his playing, was for a long time the leader of the orchestra. He was also at the head of the concerts of the Conservatoire, where he expressed the greatest

contempt for the music and musicians of the Opera, although his bands at both places were composed of nearly the same persons. If a mistake was made at the concert rehearsals, he would turn round, shake his baton at the offender, and shout, "Do you think that you are at the Opera?" Girard, formerly leader at the Opera Comique, succeeded him; he is not subject to the same fault as his predecessor, but has another, that of not being able to agree with his second in command. The expense of this musical department is somewhat large, amounting to 120,000 francs, 10,000 of which go to Girard, 5,000 to his Lieutenant Battu, and 1,000 perhaps to each of the others. This is bad payment, but it is made up for by the position which commands large prices for tuitions in the city.

Now for a few of the statistics of this grand Theatre, which are somewhat interesting, as shewing the cost of such an immense undertaking. In the year 1827, when it was attached to the king's household, the budget of it amounted to more than 1,700,000 francs (£68,000). The receipts at the doors came to 670,000 francs (£26,500), the royal contribution was 750,000 francs (£30,000), and the remainder was made up by the annual rent of boxes, masked balls, concerts, rent of shops, and payment by other theatres, which last reached 185,000 francs (£7,400). The appointments of the dancers and singers were not at that time so heavy as they are now, Madame Damoreau receiving in 1829 only 16,000 francs and afterwards 24,000; whereas Taglioni received 36,000 francs (£1,440), Fanny Essler 46,000 francs (£1,840), Carlotta Grisi 42,000 francs (£1,680), Cerrito 45,000 francs (£1,800), and Rosati is now engaged at a salary of 60,000 francs (£2,400). But the sums paid to singers of both sexes have been much greater to Duprez, 70,000 francs (£2,800), to Baroilhet 60,000 francs (£2,400), to Levasseur 45,000 francs (£1,800), Mario had only 30,000 francs (£1,200) though now acknowledged to be the greatest tenor of all. Mdlle. Falcon received 50,000 francs (£2,000) Madame Gras 45,000 francs (£1,800), Madame Stolz 72,000 francs (£2,880), and lastly, Mdlle. Cruvelli, for an engagement of ten months, 100,000 francs (£4,000). In the year 1829 the twelve first performances of the Opera *Guillaume Tell* produced the sum of 71,000 francs (£2,840), but in the year 1837 the amount received for the same number of nights of the same piece reached as much as 121,000 francs (£4,840). This was caused by the debut of

Duprez, and had been predicted by Rossini himself, when asked at Boulogne to bring out some new works. "Wait," said he, "until the Jews have finished their sabbath." He envied Meyerbeer the long run of *Robert le Diable*. Since the year 1880, the position of the Opera has been altered. The state now gives only 600,000 francs (£24,000), the minor theatres contribute nothing, but the receipts at the doors have reached 1,200,000 francs (£48,000), and the rents of boxes and shops are quadrupled. A box pays from 7 to 8,000 francs. But how are the authors and poets paid? They each get for the first forty performances of a five-act Opera the sum of 250 francs a night, and then the payment falls to 100 francs. If the piece has only one or two acts, the sums are 170 francs and 50 francs respectively. M. Scribe, besides this, demands and obtains a bonus of 1,000 francs for each act; but then the musician has an advantage over the poet in the sale of the parts, the share of the former being two-thirds. One of Meyerbeer's Opera sells for 45 or 50,000 francs, which may contain some 3,000 verses. The poet gets out of this about five francs for each verse; not bad payment for the muses.

There is an inspector of the theatres attached to the Ministry of the Interior in France, whose duty is to be present at general rehearsals and performances, and to see that the actors speak only the parts approved of by the censorship, without adding a word against public morals or the government. One of the most remarkable men who filled this situation, was named M. Perpignan. He was generally liked, especially at the Opera, where opportunities of exercising his functions were very rare. Fond of repartee, he was not at all quarrelsome, yet this particular pleasure brought him once face to face with an adversary on the field of honor. His second was a somewhat coarse fiery man, and was engaged with the other second in loading the pistols, when Perpignan walked up to them and said in a jocular tone, "I feel myself somewhat nervous this morning; I shall never be able to kill that gentleman; it would be better to put the affair off to another day." His second began to get enraged, and still Perpignan excited him by saying, "I would prefer being kicked ten times than fight to-day." "Indeed?" asked the other. "On my honor I would," replied Perpignan. "Then here you are," was the response, accompanied with a real kick. Perpignan now jested no longer, but seized his own second by the throat, as if to

strangle him. They were separated; our inspector begged of his first adversary to allow him five minutes to arrange the matter. The new antagonists were placed opposite one another, and the second fell at the word of command. The first duel was very easily arranged after this. M. Perpignan had a habit whenever he happened to be at an idle moment, in a café, restaurant, or elsewhere, to get a pen and ink and make fancy sketches of imaginary horses. His mania in this particular was so well known, that those scraps often served as passes for his friends to the theatres, where they were duly recognised and honored. A horse with his head to the right meant a stall, to the left a reserved seat in the pit; if it was sketched on a small piece of paper, two places in a box were intended, if on a large piece, an entire box. This worthy inspector got married, but his wife did not relish his raillery, and they agreed mutually to separate. He did not hear of her for fifteen years, until one fine morning when a gentleman with gilt spectacles, apparently a lawyer, visited him, and gave him some news of his better half. Madame had lost her mother, and in order to be able to enjoy her inheritance, the signature of her husband to a deed was necessary. The gentleman of the law suggested that by persisting in a refusal to grant the signature, M. Perpignan might obtain very advantageous terms, the value of the property being about 300,000 francs, and that he would arrange the whole affair for a premium of 5 per cent. Our inspector made an appointment with him for another day, but in the meanwhile had a deed drawn up by a notary, signed it and despatched it to his wife without any stipulations. His confidence was not misplaced, for he received in return a sum of 20,000 francs, and a deed settling on him an annuity of 6,000 francs.

In the month of January 1845, there appeared a new phenomenon in the dancing art, in the shape of thirty-six young ladies from Vienna, of all ages from five years up to twelve, upon the boards of the Opera. They were Jewesses, under the direction of a Madame Weiss, made their debut in the ballet of *la Jolie fille de Gand*, and performed their parts in the most accurate manner. They became so much the fashion, that the court wished to have them at the Tuilleries, but it was discovered that none of them fulfilled the proper duties of religion, and for a good reason, because they were Jewesses, so the idea was given up. At this time Fanny Essler was at Rome, Teresa

Essler had married a German Baron, and Madame Stolz was at Lyons, where she was hissed at two performances, and then returned to Paris. Here she met with the very same treatment; in *Robert Bruce* the whole house rose up against her, and vented a dislike which it had taken eight years to mature. Madame Stolz so far forgot herself as to burst into a rage, hurl words of defiance at the pit, stalls, and boxes, tear her handkerchief with her teeth, and finally depart, never to return. She repaired her fault to a certain extent, by returning to M. Pillet, whom she knew at the time to be very much in want of funds, a sum of 30,000 francs to assist him in his expenses. The money was delicately offered and as delicately refused.

M. Pillet retired from the management in June, 1847, having a year of his privilege yet to run. He must have felt himself happy to get rid of such an onerous burden, which had weighed on him for many years, and wasted all the fortune he possessed. M. Duponchel and M. Roqueplan entered upon a new directorship, and obtained ten years' lease of the speculation of this Operatic concern, taking on their backs at the same time the debt of 513,000 francs left behind him by M. Pillet, and an administration deprived of all the best singers and dancers. With such difficulties before them they were obliged to create a troupe, and to obtain music for it. Roge was engaged, which displeased the jealous Duprez. Madame Julian Vangelder was added with Alboni for the next year. Cerrito and St Léon were to be the heroine and hero of the dance. *La Fille de Marbre* of Adolphe Adam was put upon the stage and succeeded admirably in the month of October owing to the excellent performance of Cerrito, a short description of whose personal appearance may be here given.

Inferior to Carlotta Grisi, but superior to Rosati, small and plump, the bust well developed, and very fair, her arms perfect, her eyes quick and sparkling, her smile delightful, limbs stout, foot small and thick, her hair fair and floating to the winds. Cerrito is the first *danseuse* in the world for saluting the audience, after a loud echo of applause, thanking them with her mouth and look, placing at the same time her hand upon her heart.

She had two *pères*, that is gentlemen who managed her business, whether fathers or not, one at Paris, the other at London. The latter always called her his *Divinité*, had his pockets always crammed with her used up slippers, crowns of flowers, and declarations of love made to her. He could not

move out without an escort of Italian supporters. She danced a famous *pas de quatre* along with Taglioni, Carlotta Grisi, and Lucite Grahn, and subsequently came to Paris to support a difficult reputation in *la Fille de Marbre*.

Verdi's *la Jerusalem* was brought out in the middle of December, 1847, the part of *prima donna* being filled by Madame Julian Vangelder, whom the public received with delight, after their indignant rejection of Madame Stolz. The account given of the author of this opera in these *Petite Memoires*, is so interesting, that it would not be pardonable to pass over it.

Verdi was born in the Duchy of Parma, at Bussetto, a place so small that it is not even marked on the map. His parents, poor peasants, did not possess sufficient means to have him taught reading, besides that in the country parts of Italy, reading is a luxury which does not tempt any one. The village priest took a liking to him, and instructed him in the little he knew himself, in all his own knowledge, reading, writing, and music. In a few years the pupil knew more than the master, he composed military marches, church pieces, which commanded the astonishment and admiration of the good priest. Verdi left his village, went to Milan, and there, poor, unknown, without protection, he worked night and day, giving lessons at tenpence a piece when he could, and he was too happy to be able to do so. Sixtus the Fifth, of pontifical memory, began life as a swineherd. Fortune decided that Verdi should meet in his path Merelli, the great *impresario*. Merelli made him an offer to compose a partition for La Scala, and gave him the poem of *Oberto di San Bonifacio* to work upon. There is in Italy such a great consumption of operas and musicians, that managers are obliged often to hazard a master stroke, to have recourse from time to time to some young unknown musician. If he succeeds, they pay him, not in money, but in fame, and the theatre possesses an additional composer; if he fails they pass on to another; the trouble all falls on the performers, who have lost their time in studying, learning, and singing music which only lasts a day. The *Oberto di San Bonifacio* succeeded, and Verdi very properly did not touch a single copper; but Merelli ordered a second work, *Un Giorno di regno*. A violent fit of sorrow from the loss of his wife, whom he adored, weakened the rapture and the inspiration of the young *maestro*; it is his only work that has failed. Verdi was not discouraged, he had tasted success and applause, he placed himself in a position to taste them again. Convinced that a true musician should be acquainted with all the great masters in literature and poetry of every country and age, he subjected himself to a monkish labor. He studied at the same time Victor Hugo, Lamartine, Schiller, Goëthe, Shakespeare, Dante, and the historians of antiquity, and with that perseverance, that power of will which genius gives, he found himself one day capable of addressing to every nation, to every hero, the musical language appropriate to each.

Merelli understood the cause of the failure of *Un Giorno di Regno*; he appreciated Verdi, and did not hesitate in proposing to him the poem of Nabucco, which he had unsuccessfully offered to several composers. Struck with the grandeur of the subject, Verdi treated it in a masterly manner. Its success was immense, still it brought him more fame than money, 2000 francs at the utmost. This was magnificent after a first success, a failure, and a second success; his fortune was made. From this moment the managers were all at his feet; Merelli merited the preference and obtained it. Verdi composed for him *I Lombardi*, which brought him in 10,000 francs in cash. Then came *Ernani* at the *Fenice* theatre in Venice, and the *Due Foscari* at Rome in the theatre of Apollo. Verdi dictated terms to the managers, he was in a position to do so, for his titles were written in letters of gold on all the theatres of Italy. In the midst of the intoxication of glory, he had only one aim in view, that of purchasing the cabin in which he was born, and forming about it an extensive estate. He paid for the cabin with *Nabucco*; and by his operas he acquired a property which is now not less than three leagues in extent. His greatest happiness is to live on his own lands, among his own country people, who are familiar with the best parts of his operas. At Bussetto, while making the harvest, they sing the choruses of *Rigoletto*, *Ernani*, *la Traviata*, and *il Trovatore*.

Naturally sensitive, though rough in his manner, Verdi does not care for society, and avoids honours. He received the Cross of the Legion of Honour after his *Jerusalem* appeared, and *les Vêpres Siciliennes* earned for him that of officer in the same body, without his having asked for either the second or first distinction. He had only to solicit the Cross of Parma, which is granted to the most inferior composers, but it should be solicited. He was offered the place of Chapel-master to the Emperor at Vienna, and refused it. His art was enough for him. Early in the morning he goes to work, places himself before the piano, repeats if necessary the same passage a hundred times, until he is perfectly content; each note costs him a drop of perspiration, he is not a quick composer.

Not to allow this extract, which has already grown too long, to weary the reader, it may be sufficient to state here the result of his labors. Verdi has realised a colossal fortune; his last works brought him in 60,000 francs each, paid by Ricordi at Milan. Besides this, a composer in Italy sells his works to a publisher, who lets them out by seasons of three months to the different managers. *Il Trovatore* was paid for at the rate of 5,000 francs per season; there are four seasons, and twenty-four theatres in Italy; all certainly do not pay the full sum, but this last opera gained in one year 80,000 francs. Compare this with Meyerbeer's *Robert le Diable*, which in 25 years only gained some 45,000 francs. Verdi's last works, *la Traviata* and *les Vêpres Siciliennes* are

in a much more Frenchified style of music, than his first compositions, which had more of the Italian roundness and softness of melody.

Such was the master, who had charmed back success to the Académie de Musique, when the Revolution of 1848 burst out; the people rushed into the opera house, but did no other injury, than that of seizing on some rusty old arms. When the first rage of insurrection was somewhat cooled down, the doors were again opened at the command of Caussidière, that well-known leader of the Parisian mob, but the crowds of fashionable habitués were afraid to come, Madame Aguado alone had courage enough to continue to occupy her box. *Le Prophète* was brought out and well sustained by Madame Viardot in her part of *Fidès*. This lady, the sister of Malibran, is more of an artiste than a *cantatrice*; she is not handsome and has not much voice, but her style of singing is full of expression, dramatic and passionate, and pleases without exciting excessive admiration. Carlotta Grisi and Perrot contributed their part to the success of the season in *la Filleule des Fées*, a ballet in which Perrot was able to recover his position in the theatre.

The years 1850 and 1851 were principally marked at the Académie de Musique by the appearance of Alboni. She had been going the rounds of all the theatres of Europe, yet none of the Parisian managers wished to have her on their stage; her voice was not considered suitable for the Parisian taste. She purchased a magnificent mansion in the year 1848 at the Cours la Reine, furnished it very richly, and caused all her family, some of whom had been soldiers under Garibaldi, to come and live with her at Paris. Her republican enthusiasm went so far, that she gave the name of an unfortunate Viennese tailor, Blum, shot during the troubles in that city, to one of her horses. The great and good point of her character is her generosity, not only towards her own family, but towards all classes of persons. She made her debut at Paris in four concerts, which created such a *furor*, that Vatel the manager of the Theatre Italien, engaged her at the large figure of 5,000 francs a month. After a year's experience of the French language, she was sufficiently perfect to be able to appear at the opera in the part of *Fidès* in *le Prophète*. Her success was complete; her singing was at once pronounced to belong to the very highest school of art. In the year 1851

a piece written for her by Scribe, *la Corbeille d'Oranges*, produced in fourteen performances the enormous sum of 120,000 francs, (£4800,) the very best test of her capabilities. The same year was distinguished by the debut of a Russian danseuse, Mlle. Nadedja Bagdanoff, whose peculiar manner of appropriating to herself the entire stage, did not obtain for her the good will of her companions of the dance. She was even accused of being a secret diplomatist, sent over by the Court of St. Petersburg to gain intelligence at Paris. When the Crimean war commenced she fell into such bad repute, and became so obnoxious to her sister *danseuses*, that she was obliged to return to her native land, where she complained of the persecutions she had been subjected to on account of the names of her brothers, Nicholas and Alexander.

The principal artistes, who have since appeared at opera, are Madame Bosio, Madame Rosati, at present the first danseuse, and earning more money than any of those celebrated names which went before her, and Mlle. Cruvelli. Rosati at one of her performances was very nearly buried under an avalanche of flowers. The mania for bouquets had at this time gone so far, that a nosegay ordered by some one of her admirers, was exhibited in the window of its manufacturer as a curiosity, drew immense crowds and had very nearly created a riot. The stem of it, which in ordinary bouquets is enveloped in paper, was wrapped round with lace, worth nearly 1200 francs, (£48.) Very wisely the owner of this expensive piece of manufacture, did not hurl it at the head of his *déesse*, along with the others which covered her, it might have permanently put an end to her triumphs. It was sent to her apartments, where no doubt the giver had afterwards an opportunity of receiving the thanks of the fair *danseuse*.

M. Roqueplan engaged in 1854 the services of Mlle. Cruvelli, a German by birth from Prussia, her name Italianised from *Cruvell*, at the high figure of 10,000 francs a month. She was said to be married to Duprez, who knew well how to obtain the largest sum she could command. Her debut was made in *les Vêpres Siciliennes*, and the beauty of this opera contributed very much to establish her reputation. She has since appeared in this country, and it is needless to give any description of her person or voice, now so well known.

In the month of November of the same year the French

Government took this theatrical speculation out of the hands of private enterprise, and put it under the management of an administrator general, M. Crosnier, at a salary of 30,000 francs. During the next season Mlle. Cruvelli and Madame Rosati reigned supreme in their different departments of the song and dance, the principal opera being *les Vêpres Siciliennes*, and the Ballet *la Fonti*. Another piece, *Pantagruel*, it is supposed drawn from the witty pages of Rabelais, only suffered one performance and has not reappeared. The staff of danseuses at present consists, besides Mlle. Rosati, of Mlle. Claudina Couqui the *premier second sujet*, with a salary of 12,000 francs, seven *figurantes* paid at the rate of from 3 to 5,000 francs, four *media* from 1500 to 2500 francs, and nine *coryphées* with from 1,000 to 1200 francs of appointments. It is now to be seen whether the state direction will produce better effects than private management with a large subsidy.

Under the directorships of M. Véron and M. Duponchel respectively the opera flourished, and the managers were able to lay by considerable sums. The former had the advantage of the recent appearance of Meyerbeer, and the furore which his works created, without counting the large state subsidy of 800,000 francs. His expenses amounted to very nearly an average of 1,600,000 francs, yet he was able to make a handsome profit, as has been seen. M. Duponchel came next on the stage, with the same subsidy and the same debts, but also with a burthen of 250,000 francs, which he paid his predecessor for eighteen months of his lease. Nevertheless he managed to save very nearly as much hard cash, and gave somewhat more satisfaction to the public. Both these directors were powerfully supported by the talents of some of the most celebrated artistes of modern time, Nourrit, Levasseur, Duprez, Mario, Mlle. Falcon, Mme. Gras, Mme. Stolz, in the singing, and Taglioni, the two Esslers, Lucile Grahn, and Cerrito in the dancing department.

Then comes the management by M. Pillet and M. Roqueplan; neither of these gentlemen were able to make anything of the speculation; on the contrary the former is understood to have lost very considerably. What was the cause? In the first place the state subsidy was reduced to 600,000, and the expenses were found to have increased to 1,800,000 francs, 200,000 francs less in the former and more in the latter,

than under the first managers. This is nearly sufficient to account for the non-success of M. Pillet, but there were other reasons for M. Roqueplan's failure. He is said to have been a witty man, but that is not the quality most useful for a man of business, though it may be particularly pleasant after dinner at the dessert, or in a drawing-room with his back to the fireplace. Another accusation has been brought against him of dressing too well, and spending the time requisite for conducting his affairs in adorning his person. His white morning cravat, or choker, as we call it in this country, was somewhat conspicuous for its neatness and singularity in France, where black is the *couleur de rigueur* of the ante-meridian neck-cloth. But why should not a man dress himself neatly and respectably, and use whatever style of clothes he may wish, without incurring the censure of the public, and losing his money in a bad speculation? Foolish public; not to know the worth of a man with a perfumed beard, embroidered shirt, and white cravat!

Is M. Crosnier in a proper condition to succeed as manager? He has not done much in the last two years, notwithstanding his experience at the *Porte Saint Martin* and the *Opéra Comique*. His 30,000 francs appeared to satisfy his ambition, and the public did not expect so much from him as from a private speculator, whom they always suspect of sacrificing the interests of the theatre and of art to his own private gains. Such is the advantage of the government management of a theatre which may be called strictly national, as opposed to others in which a foreign language and foreign artistes are almost exclusively employed. Then there is the large, almost unlimited, support by the state, and the responsibility of the manager to the Ministry of the Interior. A great change has also been effected in the manner of pensioning off the used up materials of the chorus and dancing room. The musicians may be still of great use in the orchestra, even after thirty years of service, so that their pay is not in any manner thrown away. But the old choristers and *coryphées*, whose hoarseness or spindles would completely ruin the best presented piece, cannot be retained on the effective staff, they must be paid off in some manner, especially the former, whose services and old age deserve some consideration. The latter, however, usually pass their youth in that state of luxury and dissipation incidental to their position. Their salaries of perhaps 1,000

or 1,500 francs are given up to their *femmes de chambre*, *claqueurs* and other parasites, and yet they are often seen to possess vehicles, horses, country houses, and to spend on their toilets perhaps 20,000 francs in a single year. This blaze of expensive luxury lasts only for a few seasons; the effects of dissipation and increasing age carry off the charms, and scatter the admirers, never to return; the *danseuse* then sinks to that position, which she at first despised, of dependance on the pension allowed her by the Opera. She becomes lazy, idle, sickly, a burthen on the management and a source of annoyance to the director.

The greatest source of expense to the theatrical chest is the enormous sums paid to stars, particularly those of the first magnitude. The manager must wait on them at their leisure, ask their terms, perhaps 100,000 francs, and pay them without wincing. The state requires a drawback of ten per cent. on all salaries paid by the opera, but stars never submit to this; they must have a certain sum net, and the administrator is obliged to charge this percentage to the funds of the theatre. When the short engagement of the star has expired, he or she flies off to other climes, and leaves the unfortunate manager to the pleasant task of hunting up another to replace this shooting meteor, and but too happy to give almost any price for a substitute. Such are some of the evils of all directorships, and they apply with much greater force to that of the *Académie de Musique* at Paris, which requires a particular class of French singers, whose number is very limited, and no choice left or competition to be dreaded. The Italian Opera is not so much subject to this inconvenience, because its artistes may be recruited from these numerous roving bands drilled on the four-and-twenty Italian stages, and afterwards spreading themselves with rival locust powers over the surface of Europe to the confines of Asia, the North of Africa, and even some parts of America and Australia.

M. Crosnier did not remain long administrator general of the opera, whether the Minister of the Interior was not well satisfied with him, or he was not content with his salary, but in November last M. Alphonse Roger, formerly manager at the Odéon, was put in his place. This gentleman is a distinguished literary man, somewhat of the old school, and has not been a complete stranger to the *Académie de Musique*, having formerly brought out there *La Favorite* with great success. Time only

can tell whether the choice of the Government be such as to insure success to the National Theatre under his administration.

On looking back over this short sketch of the history of the French Opera, it is astonishing to consider the perseverance with which the original ideas of its founders have been carried out and perpetuated. There is in fact nothing in these our own countries to be compared to it, the rage for Italian music being here so exclusive as to crush at once and level with the dust all attempts to set up a rival in the national manner. Fashion has a great deal to do with this, but still more is this result brought about by a complete absence of proper academical education in the Orphean Art. We are accustomed to regard French music and singing as something not to be compared with the Italian, but that arises principally from the difference of the two languages in natural melody, the rotundity and fulness of the latter being more suited to our ears. The English tongue is much more capable than French of being blended into harmony, and yet what futile attempts have been made, at great loss to speculators, to lay a foundation for national operatic performances. The Germans, on the other hand, whose language is more nearly allied to, and perhaps less harmonious than our own, have completely succeeded in establishing amongst them a rival worthy of the Italian music, and a peculiar style of their own more scientific and profound in artistic study, if not so full of flowing melody. The German composers have for many years divided the spoils with those of the Peninsula, Meyerbeer and Beethoven marching arm in arm with Rossini, Donizetti, and Verdi, from stage to stage and clime to clime. All this is due to the improved system of musical instruction instituted in the Fatherland, where the principles of the humanizing art are considered as necessary a portion of public learning, as the classics have been hitherto in these Islands.

ART. VI.—MACAULAY A HISTORIAN.—HOW
NOT TO DO IT.

The History of England from the Accession of James the II.,
By Thomas Babington Macaulay.—Vols. I. to IV. London :
Longmans.

In our early youth we read, as doubtless have many of our friends, the adventures of Robinson Crusoe and his man Friday. Charmed by the beauty and apparent consistency of the tale, we believed it true ; but time, the disenchanter, has robbed us of our greatest pleasure by destroying our conviction of its veracity. So it is with the volumes now before us, for as Time in the former, so Knowledge in the latter case, has rudely raised the veil by which the fables of the narrator were concealed, and has displayed in their true colour the false foundations upon which these pleasing superstructures have been built up. On our first hasty perusal we confess we were fascinated by the picturesqueness of the narrative now under consideration, but on reperusal and reflection, were reluctantly compelled to admit that it lacks the chief ingredient, without which history becomes a romance—Truth. Full of political prejudice and partisan advocacy, it renders the facts of English history as fabulous as the fictions of Roman tradition, and we feel bound to say that no amount of eloquent antithesis, classical terseness or vivid portraiture, can compensate for this most substantial defect. We do not wish to be hypercritical, neither shall we take exception to an exordium equally if not more applicable to other countries, nor join issue with Mr. Macaulay as to whether Procopius' description applied to Brittia or to Britain ; we have not time for such trifles, and we think such a course would argue rather the anxious craving of a partizan to magnify the trifling errors of a political opponent, than the earnest wish of an impartial critic to discover and bring to light the material misstatements of a historian. Style is so various that it is invidious to cavil at particular modes of expression, unless they clearly violate some well-established canon. And this is the case especially in considering a historical performance, where what is told is much more essential than how it is related, and therefore we shall direct our attention rather to the facts stated, than to the manner in which they are narrated. In truth, so anxious have we been to be above suspicion and to act with even-handed justice, that we have refrained till the present from commenting upon these volumes, in the hope that those

grave errors which deprive them of all claim to rank with the historical literature of the country, would when pointed out have been expunged from future editions. But in this, our expectations have been disappointed. For, notwithstanding the clearness with which many of these mistakes have been corrected, notwithstanding the weight of evidence which has been brought forward to refute the charges therein contained, they are still persisted in, and edition after edition has passed through the press without withdrawal or explanation. Therefore we consider it a duty we owe our readers to direct their attention to some of those errors which appear to us most to need exposure. The man who discovers a danger, and yet himself incurs it, surely deserves to be the object of our scorn and contempt. Yet, Mr. Macaulay, who, in his review of Mackintosh, admits that all the distinguished writers of English history are advocates, and in his own history assigns the cause, is not himself certainly free from the reproach. Formerly history was considered to be a truthful narrative of facts, a dispassionate summary of the evidence adduced in support of the statements advanced, a faithful index of authorities, which sustained the views they were quoted to confirm, and the test of its value was its conformity to this standard; but Mr. Macaulay would teach a different lesson. In his vocabulary, history is defined as the medium for the misrepresentation of facts, the misstatement or suppression of evidence, an index of authorities which satisfactorily refute the statements in proof of which they are adduced, and in accordance with this high standard of historical excellence, the test of its value is the success with which the student, bewitched by oratorical sorcery, is made to oscillate between facts which every one knows, and consequences nobody can admit, until, completely mesmerised by ingenious manipulation, his reason succumbs to the power of the operator. The errors and falsehoods of these volumes are so numerous that it is no easy task to extract particular passages as striking proofs of this accusation. In ordinary writers there are usually some salient points, which may be referred to by the critic, but here hardly a page can be pointed to in which evidence of bad taste, bad feeling and (we regret to add,) bad faith, cannot be discovered.

"Every one," says Archdeacon Paley, "who knowingly excites expectation in another thereby tacitly promises to fulfil it." Now a writer who undertakes a history of any country or any period, pledges himself to the public to furnish an impartial

and reliable record of that country or that period of which he proposes to write. Novelists or essayists contract no such obligation, and therefore cannot be said to violate any confidence. The former are confessedly free from such ties and may revel in the unrestricted liberty of the grossest anachronisms, and certainly they cannot be charged with neglecting to avail themselves of this privilege. The latter are known to be uttering their own peculiar views upon the subjects of which they treat, and no person would be insane enough to deny their perfect right to do so. For it is admitted that the same subject may be differently viewed according to the different points of observation from which it is regarded. One man may consider a free press one of the greatest blessings which a country can boast, the ægis which protects the liberty of a people from the innovations of a despot. Another may with equal sincerity consider it as the greatest curse with which a nation can be afflicted, a sort of barricade from behind which democratic malecontents may assail the just prerogatives of the king. A Whig of the reign of Queen Anne looked upon the Revolution as the most glorious event recorded in our annals, whilst a Tory of the same period considered it to have been a gross violation of the most sacred duty a subject owes to his sovereign. And both may be right, and each is entitled to entertain and express his own opinions upon these or any other subjects when treating of them in this particular manner. But when a man sits down to write a history, be he Whig or be he Tory, should cease to be either, the distinctions of party should be merged in the dignity of his theme, private feeling should yield to public duty, and he should approach his task with a mind untrammelled by prejudice, a conscience free from the influence of factious bias, prepared to tell the truth, the whole truth, and nothing but the truth. With him the interests of the few should be subservient to the interests of many, the claims of party should be sacrificed to the demands of truth, and his motto should be "*fiat justitia ruat cœlum.*" In these characteristics Mr. Macaulay is deficient, he lacks the courage to break up his old connexion, to abstract himself from old prejudices and former habits of thought, lest in the effort some ray of light might gleam upon the darkness in which he seems to be enveloped, manifesting to his astonished gaze the startling fact that virtues do exist beyond the narrow limits of the Whig coterié, and men may be patriots who are not Whigs. Fearful of this terrible consequence he resolutely refuses to judge for

himself, and sinks the historian in the Whig. Hence his history is but a continuation of those brilliant essays by which some years ago the public were dazzled and delighted, itself an essay and nothing more. Of course he abuses Catholicism; in this, however, he is consistent, and as in his earlier literary efforts he never loses an opportunity (nay often makes one) of vilifying us, so in his latest he does not spare the lash. For this we were prepared, for experience has taught us that the most polished periods fall dully on the ear of Protestant England, unless quickened by the censure of that "Gorgeous Superstition" to which nevertheless her people are entitled for whatever of liberty they now have the happiness to enjoy.

We do not complain of this (a distempered appetite must be gratified even with garbage, but then proper ministers should be found to furnish forth the repast), but we do complain that history should be degraded by an alliance with those puny abortions which hebdomadally issue from the press full of the most hideous obscenities—scoffing at religion, ridiculing morality, jesting with Hell, and insulting Heaven. We do complain that men of genius should pander to the foul passions of besotted prejudice, and seek to win the worthless applause of ignorant and misguided zealots by the sacrifice of honor, of justice, and of truth. Can Mr. Macaulay forget that to the period when the Bishop and the Thane sat together on the judgment seat must be referred those merciful dispensations by which the justice of the common law is tempered? Shall he be permitted to repudiate the debt of gratitude posterity owes to those pious men (whom modern latitudinarians denominate lazy monks) by whose labors have been preserved those masterpieces of the classic genius of antiquity, which else had perished beneath the overwhelming torrent of barbarism, which on Rome's destruction swept over the fairest provinces of Southern Europe? Shall he be suffered to depreciate the services of the Catholic Church to the cause of humanity, in achieving during the twelfth and thirteen centuries the most wonderful revolution of ancient or modern times, and by attempting to lessen our estimation of the agency by which that revolution was accomplished, rob the Church of the glory to which her patriotism is entitled? "A purer religion," he writes, "might be a less efficient agent." Really we must protest against this and such like unfair insinuations. If possible let the fact be denied, but if not, let it be stated, fairly and honestly. If any of the surrounding circumstances suggest the idea of improper motives

in the inception, improper acts in the execution, or improper designs in the consummation, state them, comment upon them, produce the evidence which is relied upon to sustain the view; but in the presence of a great fact, in the absence of every suspicion which could excite a doubt of the good faith of the chief agent in its achievement, we object to private religious opinions being foisted upon the public as the result of historical research and philosophical reflection. Mr. Macaulay may hold whatever religious opinions he considers best calculated to promote the ultimate purpose of man's creation, but we do object that he should set up his private creed as the standard by which every other religion is to be judged. We know it is the historian's province to comment upon the events he relates, and intersperse his narrative with reflections fairly suggested by the subject matter, but we have yet to learn that any historian (deserving the name) should graft upon his narrative personal opinions at variance with acknowledged facts. Were we to attempt the confutation of Mr. Macaulay's falsehoods with regard to Catholicity, the whole Review would be insufficient to contain our remarks, and as we have but a small portion of its space allotted to us, we must pass over many points, warning our readers, however, to receive with caution every statement he makes with reference to the Catholic Church. But while we pass by many particulars we cannot abstain from referring to one passage, a passage which disgraces not alone the man who uttered it, but the age which could tolerate its utterance. We grieve to be obliged to speak thus harshly of the expressions of one for whose services to the cause of emancipation every Catholic must be grateful, but we cannot admit that because as a politician he advocated the extension to a large portion of his fellow subjects of a right to participate in the benefits of a constitution which their ancestors had created and fostered—a right which the entire civilized world demanded, and which the Government declared they could no longer safely withhold—we cannot admit that this confers upon him any privilege to insult the feelings of the Catholics not alone of this Empire, but of the universe, by misrepresenting the doctrines of the religion which they profess. "Eloquence," the present Pope is reported to have said when addressing a gentleman who had then recently distinguished himself by his brilliant advocacy in a very remarkable case, but whose reputation, like that of single speech Hamilton, seems to rest upon this solitary forensic effort, "Eloquence, when properly directed, is the noblest gift of God."

But surely when that great gift is diverted from its legitimate office, and made the tool of bigotry and malevolence, it becomes a curse instead of a blessing, and from being the noblest gift of God becomes the most efficient agent of the devil in working out his diabolical schemes. We can freely admit that Mr. Macaulay does possess great powers of fascination, but we fear truth is often sacrificed to effect, and he frequently exceeds the latitude which even the exaggeration of fictitious narrative allows.

In his sketch of George Fox he permits himself to be betrayed into an exhibition of vulgar bigotry of which the most ignorant fanaticism would be ashamed. Forgetful of his own antecedents, false to the traditional glory of that party, to whose interests he so willingly sacrifices truth and candour, forgetful of the noble stand which Fox and Burke made against the enormous injustice of that oath by which the Sacrifice of the Mass is declared *dammable and idolatrous*, unmindful of the sentiments which the most distinguished Bishops of the Establishment have entertained and expressed on this subject, regardless of the well merited rebuke by which the great English lexicographer silenced the impertinent sneer of his Scotch lackey, Mr. Macaulay deliberately insults the religion of that nation whose troops have preserved our army from the ruin and disgrace to which ignorance and incapacity had consigned it, outrages the feelings of his Catholic compatriots, whose blood has fertilized the classic soil of the Tauric Chersonese, and whose bleaching bones mark the spot whereon a mighty armament has tasted the bitterness of defeat, by the dull sneer of self-sufficient ignorance at that most Holy Sacrament in which all Catholics believe their God to be present. What does he say?—and now, readers, mark well this passage; he is accounting for the phenomenon that George Fox's theories should have had any disciples amongst the well informed:—

“Thus we frequently see inquisitive and restless spirits take refuge from their own scepticism in the bosom of a church which *pretends to infallibility*, and AFTER QUESTIONING THE EXISTENCE OF A DEITY, BRING THEMSELVES TO WORSHIP A WAFER!!!”

If this were a matter of opinion we should not have referred to it, but it is an admitted fact, admitted by every one, that Catholics do believe in the real presence; and the

come. It is strange that an authority to whom in other instances, Mr. Macaulay attaches so much weight, should suddenly sink into such total insignificance as to be classed with those writers whose statements it is not worth while to refute. The passage to which we refer must have escaped Mr. Macaulay's attention, for had he observed it, we are confident he would not thus summarily have dismissed a topic so interesting to every student of history, and on which every true worshipper of the "glorious," "pious," and "immortal memory," would wish to be correctly informed. However this may be, the fact is that D'Avaux, whom he constantly cites as an unimpeachable witness on other transactions, says:—

"That William obtained a full renunciation of Monmouth's pretended legitimacy, and *thereupon* they entered into a mutual agreement to unite their interests and assist each other, and it was then was formed that alliance which has caused so many disorders, and which cost Monmouth his life, and James his kingdom."

We might quote many writers of equal, if not greater respectability, but as we purpose again referring to this subject when we come to consider Mr. Macaulay's view of the character of William, we content ourselves for the present with directing the attention of our readers to the above pertinent passage. Upon the news of Monmouth's insurrection reaching the capital, the Parliament passed a bill of attainder. Without entering upon the justice or injustice of such a proceeding, it will be sufficient for us to say, that its effect was to place the attainted in the position of a person charged with high treason, found guilty of the offence, and sentenced to undergo the punishment affixed by the law to such a crime. We shall not particularize Mr. Macaulay's topographical errors; suffice it to say, that after many mistakes in his account of Monmouth's route and its attendant circumstances, he proceeds to attack James, (a pleasing task it would seem,) for his barbarity to his brother's reputed child. To understand this fully, it is necessary to premise, that Monmouth, having failed in his attempted insurrection, fled from the field, which his misguided dupes had watered with their blood, but was soon captured and conveyed to Ringwood; arrived there, he addressed a most suppliant letter to the king, requesting an interview, on the plea of having some information to communicate which would secure the country against any future such attempt. It is believed

that he intended to disclose the machination of William against James, but was induced by those in the interests of the Prince of Orange to conceal his share in prompting him to undertake this wild and unsuccessful enterprise. Be this as it may, James received him, but finding that he refrained from making the disclosures he had promised, and unconvinced by his protestations of his personal innocence, saw no reason to interfere with the effect of the attainder, and Monmouth was removed to the Tower. This proceeding seems to excite Mr. Macaulay's most violent indignation; he writes :—

“The king cannot be blamed for determining that Monmouth should suffer death. Every man who heads a rebellion against an established government, stakes his life on the event: and rebellion was the smallest part of Monmouth's crime. He had declared against his uncle a war without quarter. In the manifesto put forth at Lyme, James had been held up to execration as an incendiary, as an assassin who had strangled one innocent man and cut the throat of another, and lastly, as the poisoner of his own brother. To spare an enemy who had not scrupled to resort to such extremities, would have been an act of rare, perhaps of blameable generosity, but to *see* him and not to spare him was an outrage on *decency and humanity*.”

This is mere nonsense. It is another instance of that straining after effect to which truth (inadvertently we hope) is not unfrequently sacrificed. It is another instance of that personal antipathy which Mr. Macaulay seems to feel towards James, and which induces him to be sometimes illogical, always unjust. If it were proper for James to have determined on Monmouth's death, how can the propriety of that determination be altered by his admitting to a personal interview the man from whom, by his own promise, he might expect to derive some valuable information on a subject on which he was desirous of obtaining reliable intelligence? This interview, mark, was not sought by the king, but was conceded to the remorseful appeal of a man whom craven fear had made insensible to shame.

James had long suspected (and with reason) that his son-in-law was conspiring against him, and he hoped to gain from Monmouth some insight into the full extent, and various ramifications of his intrigues. And had the Duke acted up to the spirit of his promise, and made the disclosure he then intended, we may presume he would not have suffered the extreme penalty of the law. In his letter he had stated that he had

permitted De Witts to fall a victim to the infuriated populace, and *never took any steps to bring the murderers to justice.* This was but the precursor of that still deeper blot on his fame to which we shall subsequently have to direct our readers' attention. Elected to this high position, he faithfully discharged his duty to his country, and though he met with frequent reverses, he won the admiration of Europe for his bravery as a general and his wisdom as a statesman. In 1678 he concluded the peace of Nimeguen, and in the same year married the daughter of James the Second, and from this period he looked upon England as his birthright. Mr. Macaulay, however, not satisfied that we should regard William as a warrior, a statesman, the opportune though irregular instrument of a necessary Revolution, labors to prove that his claims to the crown were founded upon his many private virtues, and the concurrence of the person in whom those claims legally centred. That the Prince of Orange long regarded the English throne as his heritage, few, we think, will have the hardihood to deny. His court had been the refuge of those who had either supported the Exclusion Bill, or favored the pretensions of Monmouth. He had given encouragement to the Rye-house plot, had aided the advocates of the Exclusion Bill, and, as we have seen, had used Monmouth as the stalking horse of his ambition. But what interest, it may be asked, could the prince have had in disturbing the peace of a country over which his father-in-law reigned, and in seconding the enterprise of one whose success would have defeated his own projects. This is capable of a simple solution. He hoped by constantly keeping the nation in a state of excitement, to create disturbances which he himself might be called upon to compose, and he knew that the failure of Monmouth's insane attempt would be followed by executions which would disgust the public mind; and he foresaw that James would be likely to adopt a line of policy which would soon alienate the affections of the people. And should the worst happen, should Monmouth be victorious, he could very soon be rid of his opposition, for we have seen that he had in his possession Monmouth's renunciation of his pretended legitimacy, and, better still, he knew that no one was ignorant of the falseness of his claim, and he was well aware that the English people, when the first fervour of enthusiasm had subsided, would ill brook the rule of a bastard. In fact, in the words of D'Avaux, *the prince felt*

that if the king were once disposed of the duke would give him no great trouble. This was William's opinion and policy throughout, and hence he never interfered to prevent the departure of the expedition of Monmouth and Argyle. Dalrymple, who, though a Whig is an honest historian, thus writes on the authority of D'Avaux:—

"These preparations, (meaning those of Argyle and Monmouth,) made a considerable noise, even in Holland. But as rumours increase by the distance they have to run, they made a much greater in England. James, therefore, applied by Skelton, his ambassador, to the Magistracy of Amsterdam, and afterwards to the States General, to stay the embarkation of Monmouth. But both, under pretence of the forms of office, connived at his escape, either from dislike to James, whose connexion with France they dreaded, or from respect to that refuge they profess to afford to the unfortunate of all nations. The Prince interfered, not excusing himself because his assistance was not asked, and perhaps not displeased to see one expose himself to ruin, who had been rival to the Princess for the succession, the English tried in a cause that was given out to be that of religion and liberty, and disturbance raised he might himself be called to compose. He even pretended that he gave no credit to the reports of the projects of Argyle and Monmouth, although he knew that one was gone, and the other just ready to go. James then insisted with the Dutch to seize all the British rebels who had at any time taken refuge in their territories. But Fagil in public, and the Prince in private, opposed the success of the application. James, in the last place, applied to the Prince for the assistance of the British regiments in the service of the Dutch. The Prince, without giving a refusal, threw difficulties and delays in the way. Soon after he offered to go himself into England with his own guards, but received this ambiguous answer—That it was more for the King's interest he should remain where he was."

And Lingard, (a historian whose varied, accomplishments and profound knowledge eminently fitted him for that office, whose impartiality all are obliged to admit, and whose just views of men and principles none have ever dared to impeach;) thus observes to the same effect:—

"William's advocacy of the Exclusion Bill, and his reception of Monmouth during the life of Charles, were offences not easily forgotten, and the reconciliation he sought and obtained on the death of that monarch was soon afterwards shaken by his ambiguous conduct in relation to the expedition of Monmouth and Argyle. From all the circumstances, it is plain, that if at first, he knew not of the design, it was because he preferred to be ignorant, and that if his orders to prevent their departure were subsequently disregarded, it was because he did not mean them to be adopted. James, however, deemed it prudent to dissemble, the plea of ignorance advanced by the Prince, was accepted, though not believed, and his offer of coming and fighting against the usurper, was declined under the pretence

that his presence at the Hague was necessary to prevent the transmission of succour to the enemy."

These extracts, we think, go to prove William's complicity in Monmouth's enterprise, and entirely negative the presumption that he used his very best endeavours to stop the sailing of the fleet. Mr. Macaulay takes credit for William's readiness to send over the English regiments in the Dutch service, which readiness is more than doubtful, and even if it were not, by whom were these regiments officered? Why it was a piece of the deepest policy to send those regiments; they were officered by the well-wishers of the Prince, and when James desired to remove the staff, William refused to approve of the officers James proposed; in fact, they became, on William's landing, the most efficient auxiliaries in his cause. Yet Mr. Macaulay would have us believe, that William was sincerely anxious to sustain his father-in-law, and that the Crown was the voluntary offering of the nation, rather than the interested proposal of a political party.

In selecting William's conjugal life as an instance of his private virtues, Mr. Macaulay is really unfortunate. By an apparently frank avowal, he seeks to throw us off our guard, but the least attentive reader will see through this unworthy artifice. He says:—

"For a time William was a negligent husband; he was indeed drawn away by other women, particularly by one of her ladies, Elizabeth Villiers, who though destitute of personal attractions, and disfigured by a hideous squint, possessed talents which well fitted her to partake his cares. He was indeed *ashamed* of his errors, and spared no pains to *conceal* them, but in spite of all his precautions, Mary well knew he was not strictly faithful to her. Spies and tale-bearers encouraged by her father, did their best to inflame her resentment. A man of a very different character, the excellent Ken who was her chaplain at the Hague during some months, was so much incensed at her wrongs, that with more zeal than discretion he threatened to reprimand her husband severely. She however bore her injuries with a meekness and patience which deserved, and gradually obtained, William's esteem and gratitude."

There is but little truth in this statement. It was not for a time, but during the entire period of his union with the Princess, for Miss Strickland states that "Elizabeth Villiers was the canker of Mary's life from her marriage to her grave."

He did *not* conceal it; he carried on his amour openly, and so far from being *ashamed* of it, he, when his succession to the English throne gave him the power, created her husband

Earl of Orkney, and gave her some of the forfeited estates in Ireland to the value of £25,000 per annum, a grant so flagitious that the Parliament subsequently revoked it.

In truth, however, high his name may stand on the roll of fame as a general and a statesman, there is much in his private life to condemn and deplore. United to a young, amiable, intelligent, though not beautiful Princess, he treated her with all the coldness and insult of which his jealous temper was capable. He was a most unfaithful husband to a young and confiding woman, and a most careless protector of one who loved him fondly and truly, who was spotless in her own character and conduct, and whose life his indifference and neglect steeped in unimaginable bitterness. Had William been engaged previous to his marriage in such unholy connexion, some palliation might perhaps be proffered; though we consider it should not be accepted, for this the most nefarious outrage that can be committed on a trusting woman as former ties, old associations, and the difficulty of suddenly bursting the bonds with which vice ever enthrals its votaries. These might be urged, though we cannot admit that they afford any extenuation of his guilt. But that he should inaugurate his nuptials by a liaison with a stranger, and that stranger herself a married woman, shocks and disgusts the mind. Base indeed must be the man who could thus set at defiance public decency and private morality; proclaim his contempt of the sanctity of the marriage vow, and fly the endearing joy of truth-tied love to bask in the bought smiles of a harlot's passion, loveless, joyless, unendeared; but baser still the man who insults religion, and outrages humanity by the public defence of the character of him who has dared to violate one of the holiest ties by which the various members of society are united. We have been taught to regard as an inexpiable stain the unmanly desertion of his wife by England's greatest naval hero, and now, forsooth, we are to be told to reverence and respect in the King what we loathe and abhor in the commander. What plea can be advanced for the one, that can not be urged for the other? 'Tis true that Nelson did not, as William did, inflict upon his wife the pain of daily witnessing her own humiliation by the constant presence of his paramour. If this refinement of cruelty be an excuse, we give the Prince the full benefit of it.

To us it seems to aggravate, if possible the insult to her

whom by all law, human and divine, he was bound to love and honor. But then William esteemed his wife. Good heavens! is it not too bad to have such statements put upon record; is it usual for those who feel esteem for a person to do, or continue to do, that which they know to be injurious and distressing to the person so esteemed. Is it usual to exhibit gratitude for forbearance, by persisting in that line of conduct, the forbearing to expose or punish which is the subject of gratitude. Really we have no patience with such trash, and we fear, did we further comment upon this passage, we should be tempted to infringe upon the limits of that moderation which is the distinguishing characteristic of our Review, and which has won for it the position it now so justly occupies. For who can be temperate in speaking of such utter nonsense, and asking readers to have common sense. Why it would be an insult to their judgment to ask them to disbelieve a statement that no man of common understanding can credit. Did William esteem his wife? No. Was he grateful for her patience under his insults? No, he could not have been, for even the facts stated by our author, distinctly disproves its possibility, and we confidently appeal to our readers for a ratification of our deliberate opinion. Spies continually informed Mary of William's peccadilloes. If Mr. Macaulay knew a little more of human nature, he would have known that no subterfuge can succeed in blinding the penetrating eyes of a wife even to the most trivial neglect of a husband, and how much more easily would she discover the gross infidelity of her lord. But no more of this. Not content, however, with thus insulting Mary's feelings as a wife, he outraged her affection as a child, and regarded as puerile, and contemptible her filial piety, that virtue which is most deeply rooted in the human heart, and twined within the cords of life itself, which in the words of a distinguished orator is the "*Sacrament of our nature.*" For, on that solemn day, the anniversary of that most hapless one, on which English fanatics dared with sacrilegious hand to slay the Lord's anointed—a day which then was and still is kept with reverence by Englishmen in whatever land chance may have cast their lot, whether

"In climes where southern suns unclouded glow,
Or northern regions of perpetual snow—"

A day on which an entire people seek by prayer and

humiliation to avert from themselves the punishment due to the crime of their ancestors. If such be the feelings of an entire race, how much more sacred must that day have been to her in whose veins flowed the blood of the martyr king. How must she have wished to retire to the seclusion of her chamber, and, laying aside the paraphernalia of her rank, weep not merely in sorrow for the past, but also in fear for that future which loomed dimly on her father's path, for well she knew the dark designs with which her husband's brain already teemed, well she knew the deep laid schemes by which he hoped to compass his ambition, and much she grieved that she should be the instrument by which her father's downfall should be wrought. But William was a stranger to such tender feelings, and despite his own near relationship to the victim whose immolation that day was instituted to commemorate, he, with that callousness for which he was remarkable, ordered her to put away such puerility, to cast off such effeminate sentimentality—forced her to array herself in costly attire, to dine at the public table, and further to mark his utter contempt for her delicate sensitiveness, compelled her to attend the theatre. Hear how an impartial witness describes the scene; a witness whom Mr. Macaulay loves to quote when his testimony is calculated to impeach the integrity of James, but whose evidence it is found convenient to overlook or class with that of those writers whom it is not worth while to refute when it clashes with his preconceived estimate of his hero's character. Thus writes D'Avaux to his master:—

“Your majesty knows how the English are in the habit of observing the anniversary of the death of Charles the First. On that day the Prince of Orange forced the Princess instead of her intended mourning to put on full dress. He next, in spite of her entreaties and prayers, forced her to dinner. The Princess was obliged to submit to have all the dishes brought to her one after another.”

This we presume is an instance of that esteem and gratitude which the forbearance and patience she exhibited towards William's infidelity merited and obtained—obtained we have no doubt, for his cold heart, steeled against the influence of natural affection, dead to the demands of conjugal duty, knew no better recompense for such generous devotion, but surely such generous devotion deserved a more worthy requital. Hear further :—

"'Tis true she ate little or rather nothing, and in order to make public the insult he meant to the king by all this, he, forced her to go to the *play-house*."

Now Mary was a religious woman and did not like plays or players, and, however we may dissent from such strict notions, still we respect religious scruples when sincerely felt and honestly acted upon. Many of our friends still continue to regard the theatre as the temple of vice, and some object to certain representations as apotheosising lewdness, and introducing, decked in histrionic garb, characters from whom, when met in the public way, we turn with loathing eyes. And if now, when the stage is to some extent purified by the lynx-eyed morality of a generation which wishes to assume a virtue if it have it not, persons are still found who object to enter within the dwelling of Thespis, how much stronger and more seasonable was the objection then, when the stage was but the reflection of the licentiousness of private life, when were performed Beaumont and Fletcher's plays, in which virtue was held up to scorn; when actor was but another name for vagabond, and actress the synonyme of bawd—can then a chaste and virtuous woman be blamed for adhering to her religious teaching, and refusing to witness the representation of a libel upon the purity of her sex. But William had no moral susceptibility to be offended, no religious teaching to be undermined, no virtuous feelings to be outraged. The adulterer could not understand why Mary should refuse to participate in a spectacle at which Villiers loved to be present. And it is ever the consequence of this debasing sin of lust that men who are its victims regard the most virtuous as virtuous only because they lack the opportunity of secretly and securely indulging their evil propensities. And hence William forced his wife to the play-house, and thus afforded another example of that gratitude and esteem which he experienced towards her. But listen still to what this veracious informant states:—

It is to be remarked, that though there have been plays *four times a week*, the Prince has been there *but twice* before in the last three months, which shows that his going to the play that night was a mere piece of parade!!

A mere piece of parade! Wherefore?—for what purpose?—for whom? That's the question. Now hear the reply. He had failed in the Rye House Plot—he had failed in the Exclusion Bill—he had been defeated in his attempted insurrec-

tion—he feared the Tories would cling to the principle of non-resistance to legitimate authority—he feared the Whigs would strip the executive of those powers he thought necessary to its dignity and efficiency, and thus make the Crown not worth the wearing, and therefore, the grandson of Charles the First, sought by desecrating his memory to win the support of those ruffian regicides who had defiled the throne, broke the sceptre, trampled on the Crown; whose hands still reeked with the life blood of their king, and whose deed posterity has “damned beyond the infinite and boundless reach of mercy.” These were the men on whose aid he counted, for them was that degrading scene enacted, for them were Mary’s feelings slighted, her affections mocked, her duty to her father ridiculed, and—oh! most disgraceful record in the book of time—her duty to her God made the object for “the type of scorn to point his low unmoving finger at.” And yet this monster passed through the crucible of Mr. Macaulay’s imagination, his guilt effaced, his crimes blotted out, is presented to the wondering gaze of posterity—a Hero. To proceed :—

Yet there still remained one cause of estrangement. A time would probably come when the Princess who had been educated only to work embroidery, to play on the spinet, and to read the Bible and the Whole Duty of Man, would be the chief of a great monarchy, and would hold the balance of Europe, while her lord, ambitious, versed in affairs, and bent on great enterprises, would find in the British Government no place marked out for him, and would hold power only from her bounty, and during her pleasure. It is not strange that a man so fond of authority as William, and so conscious of a genius for command, should have strongly felt that jealousy which during a few hours of royalty put dissensions between Guilford Dudley and the Lady Jane, and which produced a rupture still more tragical between Darnley and the Queen of Scots. The Princess of Orange had not the faintest suspicion of her husband’s feelings. Her preceptor, Bishop Compton, had instructed her carefully in religion, and had especially guarded her mind against the arts of Roman Catholic divines, but had left her profoundly ignorant of the English constitution and of her own position.

The poor Bishop, like many of his episcopal brethren in our own times, was so infected by his dread of Popery, as to neglect his proper duty, and see the result which followed.

She knew her marriage vow bound her to obey her husband, and it had never occurred to her, that the relation in which they stood to each other might one day be inverted. She had been nine years married before she discovered the cause of William’s discontent; nor would she ever have learned it from himself. In general his temper

inclined him rather to brood over his griefs than to give utterance to them, and in this case his lips were sealed by a very natural delicacy. At length, a complete explanation and reconciliation were brought about by Gilbert Burnet.

We pause to draw our reader's attention to this rather remarkable circumstance:—"She had been nine years married before she knew the cause of William's discontent." It will be recollected that William was married to Mary in the year 1678. Nine years brings us to the year 1687. Then William saw that the consummation he so ardently desired was approaching, the long coveted object of his ambition within his reach, yet he felt that all his efforts would be vain, unless his wife could be induced to concur in his assumption of the regal title. Vain had been his labors, fruitless his intrigues, unless Mary would be satisfied to ignore her rights. For, by the law of succession, she, and she alone, was entitled in default of male issue, to ascend the throne. Therefore, he was desirous of gaining from her an acknowledgment of her willingness to assent to his supremacy. But how was this to be effected? After nine years of unkindness, neglect, and infidelity, how could he ask his slighted wife for this high mark of her esteem and confidence. How could he demand any favor from her, whose honor he had betrayed, whose life he had rendered wretched, and whose forbearance he had requited with careless indifference. He could not, he dared not; for even his cold heart, case-hardened, though it was, would be wrung by the indignant reclamations of his injured wife. This is the "natural delicacy" of which Mr. Macaulay speaks. But Burnet, aye that's the man. Friend Burnet will hold forth on the abomination of a doctrine that would set the wife above her husband, and will thus extort from her religious fears what I could never demand from her affection, and he succeeded.

He (Burnet) plainly told the Princess what the feeling was which preyed upon her husband's mind. She learned then, for the first time, with no small astonishment, that when she became Queen of England, William would not share her throne. She warmly declared, that there was no proof of conjugal submission and affection which she was not ready to give. Burnet, with many apologies and solemn protestations that no human being had put words into his mouth, (hypocrite) informed her that the remedy was in her own hands. She might easily, (she did not find it so), when the Crown devolved on her, induce her Parliament not only to give the regal title to her husband, but to transfer to him by a legislative act, the administration of the Government. But, he added, your Royal Highness ought to consider well before you announce any such resolution,

for it is a resolution, which when once announced, cannot safely or easily be retracted.

This looks very like trying, as lawyers say, to pick out an assumption. It is a custom when a man wants to found an action on an unwritten contract to send a mutual friend to the party he wishes to charge, for the purpose of pumping him, and in the course of a friendly interview extracting an acknowledgement of the promise, to which he afterwards swears. But this method of sustaining an action is generally looked on with great suspicion by courts and juries.

I want no time for consideration, exclaimed Mary. It is enough that I have an opportunity of shewing my regard for the Prince. Tell him what I say, and bring him to me that he may hear it from my own lips. Burnet went in quest of William, but William was many miles off after a stag. It was not till the next day that the decisive interview took place. I did not know till yesterday, said Mary, that there was such a difference between the laws of England and the laws of God, but I now promise you, you shall always bear rule, and in return I ask only this, that as I shall observe the precept which enjoins wives to be obedient to their husbands, you will observe that which enjoins husbands to love their wives. Her generous affection completely gained the heart of William (of course he dismissed Villiers?). From that time till the sad day when he was carried in fits from her dying bed there was entire confidence and friendship between them. Many of her letters to him are still extant, and they contain abundant evidence that this man, unamiable as he was in the eyes of the multitude, had succeeded in inspiring a beautiful and virtuous woman, born his superior, with a passion fond even to idolatry? (*Oh Prodigious!*)

For the entire of this long extract Macaulay gives not a single authority. We suppose that as the stereotyped announcement of play-house bills say, "they are too numerous to mention in this advertisement." It must be manifest to all who read our pages, that William employed Burnet to terrify the poor Princess into a declaration that on coming to the Crown she would bestow upon the Prince not merely the regal title, for that he cared not, but that which he did prize highly, the administration of the Government. It is ridiculous to suppose that Mary, educated by a man of learning, could have been permitted to remain ignorant of the laws of the country which it was not improbable she might one day be called to govern. And even if this subject did not form a portion her educational course, no one can suppose she was not thoroughly conversant with the rights and privileges of her position, James was not the sort of man to refrain from reminding her of

the high destiny that awaited her. The attempt which "*bloody Mary*" had made to obtain for her husband the regal title, and her failure therein, must surely have been frequently referred to by her pious tutor in his anti-popery predications as an instance of the insidiousness of a priest-ridden monarch in plotting the subjection of Protestant England to Popish Spain. The tragical disputes between Darnley and the Queen of Scots, Mary's own ancestor, cannot surely have escaped her attention. The fact is she knew it very well, but Macaulay throws in this insinuation to save his friend Gilbert, of whose reputation, by the way, he is not always so careful. For when Burnet speaks unfavourably of Sir William Temple's religious opinions, Macaulay fires up at once, and stigmatizes the "vague assertions of so rash and partial a writer as of little weight."

Burnet knew very well that Mary knew the law, and therefore never touched upon this topic, but directed his discourse entirely to the discrepancy between the law of England and the law God, pointed out to her that all human rules should be founded on, and subservient to, the rules propounded by the Supreme Being for the guidance of his followers, and that when He commanded wives to be obedient to their husbands, it was irreligious and unchristian in any legislature to prescribe that husbands should be subject to their wives. And so skillfully did he excite her feelings of conjugal duty and religious obligation, that she sent him at once for her husband. But William was "off after a stag." This is really ludicrous:—"off after a stag," leaving Gilbert, we suppose, to take a shot at the more domestic game. Having killed his stag, he returned to his dear; (forgive the pun,) and found Burnet in a state of awful excitement, lest the Princess should, in the interim have changed her mind, and then adieu to all visions of episcopal promotion. In hurried accents he acquainted his master with the success of his mission, and communicated her message, which having received, the Prince flew on the wings of anticipation to the woman that loved him to idolatry. Then, as Macaulay represents, took place that most important conversation on which depended the fate of the Revolution, the Whigs, and England. In his sparkling page, however, it reads like the happy denouement of some lively farce, in which the fashionable wife extends her pardon to the repentant roder, on condition of his future good behaviour, and we can imagine William, like Charles Torrens in "*The Serious Family*," declar-

ing as loud as he could in his own mind, that in return for this frightful bore, a connubial tête-à-tête "he would have a good day's shooting." "*Sed aucto queramus serio ludo.*" Let us turn to the pages of one who never derives his information from dubious sources, nor draws on his fancy for facts, but who has carefully collated his authorities and founded his narrative on the faith of original documents. Let us see how Dr. Lingard treats this subject :—

Burnet's knowledge of men and parties rendered him an invaluable counsellor, and his reputation as a *theologian*, enabled him to do his patron a most acceptable service, by persuading the feeble mind of the Princess that the law of England, which in the event of her succession to the Crown would give her the superiority over her husband, was contrary to the law of God, which made her at all times subject to his authority, and that she was therefore bound in conscience to transfer to the hands of the Prince the sovereign power which she might subsequently inherit as her birthright. Under this impression, sending for William, she made to him, in the presence of her instructor, a solemn promise that whatever authority might subsequently devolve upon her, should be possessed and exercised by him, he should bear the sway, she would demean herself as a dutiful and loving wife; nor did she ask any return for this proof of affection, than that as she practised one command, "wives be obedient to your husbands in all things," so he would practise the other, "husbands love your wives." *By these words she alluded to his amour with Mrs. Villiers, afterwards Lady Orkney, but William, though he exacted from her the benefit of the promise, was careful to absolve himself from the obligations of complying with the condition.*

This extract relates the circumstance with much more seemly gravity. Here we have nothing about being "off after a stag," but we have that which is of much greater importance, the object of Mary in using the remarkable words attributed to her. It is the innuendo points the libel, and these few lines, like a lady's postscript, contain an explanation of the entire proceeding. They prove that Mary knew why it was that her husband, who would have been the proper person to treat with her on such a subject, held back, and employed his friend to mediate. She hoped that this shame might be the forerunner of amendment, and therefore, admonished him as stated in the text. But she was a fool if she supposed that William, once he had carried his point, would pay the slightest attention to her observations. This, however, would not suit Mr. Macaulay's book; it would not answer to represent William as obtaining a promise on a condition, and then exacting the performance without observing the condition.

We do not find in this extract any mention of Burnet's protestations, and therefore we think it not irrelevant to consider was he really commissioned by William to perform this difficult task. Who was Burnet? He was the friend, the intimate, the bosom friend, of the Prince of Orange—familiar with all his thoughts, his feelings, his hopes, his fears; deeply engaged in all his schemes for compassing the darling object of his life; and rewarded for his fidelity to the cause of his patron with the bishopric of Salisbury. In truth so identified was he with the intrigues of the period, that James was compelled to require and William to submit to his temporary removal from court. But though ostensibly exiled, he still continued to guide by his counsels the acts of the Prince, and the latter never engaged in any enterprise without the consent and approval of his secret adviser. Considering then the intimate relations which subsisted between them, can it be conceived that he was ignorant of the feelings which preyed upon his master's mind. The supposition is negatived by the admission that he was the first to inform the Princess of what those feelings were. How then did he obtain that knowledge? Why by the simple process of hearing the Prince give expression to his disgust at the idea of being tied to a woman's apron strings. In what manner was this information conveyed? was it merely by an expression of his annoyance at the anomalous position in which the British Constitution placed him simply, and did no suggestion rise to the lips of his confidant; or is it not more natural to suppose that in the course of a conversation with the embryo prelate he disburdened his mind and requested his advice and assistance, and would not the very phrase used by Burnet imply that his act was not the result of his own mere motion, but the result of a preconcerted plan?

Lord Dartmouth naturally infers from the narrative itself that Burnet was employed by the Prince. And we ourselves being desirous of giving Burnet credit for common sense, would much prefer supposing that he was sent than that he took upon himself that precarious office of a go-between, which might expose him to the severe animadversions of Mr. Macaulay, who administers so stern a rebuke to poor Ken for proposing to interfere between man and wife, by stigmatising his single-minded offer as characterised by "more zeal than prudence." These are trifles no doubt, but a straw thrown up shows how

the wind blows, and these little minute circumstances, trivial in themselves, acquire a prominence otherwise unmerited when regarded as the sign-posts by which the route pursued may be discovered. Thus Mr. Macaulay himself speaks in one of his essays of such trifles—"The poisoning of an emperor is in one sense a far more serious matter than the poisoning of a rat. But the poisoning of a rat may be an era in chemistry, and an emperor may be poisoned by such ordinary means, and with such ordinary symptoms, that no scientific journal would notice the occurrence." And thus it is in history, a great and well-known fact can rarely be mis-stated without exciting inquiry and challenging contradiction. If any one expressed a doubt of the existence of William III., except in the manner and for the purpose with which the "Historic Doubts" were published, the whole press of England, Ireland, and Scotland, would be down on him, the reviews would tear him in pieces, or perhaps a commission *lunatico de inquirendo* would be sued out and he shut up in an asylum. But admitting the great fact, by skilful manipulation the individual and minute traits of character may be so turned and twisted as to preserve but few traces of the original. A sly insinuation, a covert sneer, a significant hint, a pregnant suggestion, a scientific combination of light and shade, and an ingenious admixture of truth and falsehood, may so change the face of the picture, that were the subject evoked from the tomb he would be unable to recognise his own features in the varied portraits by which different parties seek to perpetuate his memory.

Our object has been in being thus minute, to warn our readers from accepting anything from Mr. Macaulay without strict investigation. Even when he makes an admission, anguis in herba, **BWARE**, *Timete Danaos et dona ferentes*. Be not deceived. Never permit yourselves to be led away by the false glitter of a meretricious eloquence from the necessary consideration of facts, for it is ever to be remembered that true eloquence consists in saying all that is necessary and nothing but what is necessary.

William having thus received the concurrence of Mary—how gained it is needless further to remark—began to make his preparations for the invasion of England. He made considerable augmentations to the Dutch fleet, additional troops were also levied and with more ingenuity than honesty he contrived to obtain a sum of money from Pope Innocent XI. on the understanding that in conjunction with the Emperor he was about to undertake an expedition against France. The conjuncture was

favorable for his attempt upon England. The haughty character of Louis XIV. and the aggrandising nature of his policy, had arrayed all the continental sovereigns, not excepting the Pope, against him, and poor James from his connexion with the King of France, though deriving from it no material advantage, was made to feel the effects of the general enmity which existed against his ally. Hence the eagerness with which the pope was induced to give a sum of money for the purpose he thought, of humbling the French monarch, and hence too the readiness with which the powers at the league of Augsburg received William's representation, that the expedition then prepared in Holland was for the purpose of reconciling matters between James and his subjects, and getting him to join the league against France. "If," says Dalrymple, "the Prince of Orange in coming to England had really the intention of mounting the throne, he deceived the Emperor as well as the Pope." "In his box there is a copy of the following letter from him to the Emperor a short time before he sailed." We shall merely give a couple of extracts. Having referred to the misunderstanding that unhappily existed between James and his subjects, he proceeds.—"*J'ai Voulu, Sire, assurer par cette lettre votre Majesté Imperiale, que quelques bruits que l'on puisse avoir dejasemez, et non obstant ceux que l'on pourra faire courir à l'avenir je n'ay pas le moindre intention de faire aucun tort à sa Majesté Brittanique, ny à ceux que ont droit de pretendre à la succession de ses royaumes. ET ENCORE MOINS D'EMPECTER MOY MEME SUR LA COURONNE OU DE VOULOIR ME L'APPROPRIER.*" He says he had no design to destroy the Catholics, but merely to correct the disorders which had arisen through evil counsels, he wishes to give freedom to the Parliament, procure the elections of proper representatives and place in security the rights of the Protestants, the liberty of the clergy, the nobility, and the people,—"*Par ce moyen seulement il y a lieu d'esperer qu'il s'ensuivra une bonne union et une sincere confiance entre le Roy et ses sujets, AFIN D'ETRE EN ETAT DE POUVOIR CONTRIBUER PUISSEMENT AU BIEN PUBLICQUE.*" He wishes to establish this union on a solid foundation! "Je dois Prier votre Majeste Imperiale de s'assurer que *J'employeray tout mon credit pour moyenner que les catholiques Romain de ce pays la jouisse de la liberté de conscience et soient mis hors de toute inquiétude d'etre persecutez à cause de eur religion et que pourveu qu'ils en fassent l'exercise sans bruit et avec modestie ils ne soient point sujet à aucuns punitez.*"

"J'AY EN DE TOUT TEMPS UNE TRES GRANDAVERSION POUR TOUTE SORTE DE PERSECUTION EN MATIERE DE RELIGION PARMI LES CHRETIENS." We are not accountable for orthographical errors.

Having by these unworthy tricks silenced the representations of those who else might have opposed the execution of his design, having by the confederacy he organized against France given occupation to Louis at home, and thus prevented his impeding him in carrying out his project, and having by his agents in England cast suspicion on the parentage of the heir which had recently been born to James, having under the pretences of asserting the people's liberties and securing their religion, procured himself to be invited over for the purpose of composing the disturbances he himself had excited, he set sail for England, and after some failures landed at Torbay on the 5th November, 1688. James, deserted by his ministers and abandoned by his children, terrified at the approaching danger, and devoid of that moral courage which in such a crisis should have sustained him, sought refuge in flight, thus abdicating in fact though not in deed his throne. For though possessing, we believe, in an eminent degree that physical courage which wins renown in the deadly conflict of battle array, he lacked that nobler spirit which endures with fortitude the stings and arrows of adverse fortune. He seems indeed to us to have been characterized rather by that impetuous valour which in the older time would have enabled him to achieve the laurels of the hero than to have been endued with that dignified virtue which would entitle him to claim the palm of the martyr. The throne being declared vacant by the representatives of the people, William and Mary were elected to discharge the function of sovereignty.

We do not wish here to enter upon a discussion of the doctrines of revolution. Nor is it our province to lay down any rules by which the boundaries between unlawful resistance to the constituted authorities and legal opposition to the undue exercise of power, may be accurately ascertained and clearly defined. Such a subject, though interesting, as affording an opportunity for the exercise of the mental faculties of the reader, is foreign to our present duty, and belongs rather to the constitutional philosopher than to the critic. The former may theorize on what ought to be, the latter can deal only with what is. We consider it therefore most consonant with the principles of

free discussion to hold our own opinions on this matter, extending to our readers the same privileges we claim for ourselves, *et hanc veniam petimusque damusque vicissim*. Right or wrong, expedient or inexpedient, necessary or unnecessary, the Revolution was accomplished, the throne was offered to William and Mary; the latter enjoying the honorary distinction, whilst the former possessed the real power, of sovereignty. Their acceptance of it, however, was clogged with such impolitic restrictions as had not the spirit of a more liberal legislation intervened, might have caused the disruption of this empire, the loss to England of no inconsiderable portion of her dominions, and the total alienation of the most loyal population that ever rallied round the standard of a king. William having thus gained the object of his ambition, he proceeded to strengthen his government, and having quelled all opposition to his authority at home, he turned his attention to Ireland, which country was then much disturbed by the supporters of James's rights to the throne, from which he had been expelled. Thither he had retired after his flight from England, and had summoned her people to aid in his restoration. It will not, we hope, be considered uninteresting or irrelevant to give a short sketch of the state of that country, previous to, and at the time of, the Revolution of 1688. Though enjoying many of those elements which contribute to the agricultural and commercial prosperity of a country blessed with a fertile soil, and genial climate, possessed of great natural advantages for the advancement of the manufacturing interests, and peopled by a race inferior to none in the possession of those qualities which are best calculated to promote the essential interests of a nation, Ireland has yet from various causes been impeded in her efforts to promote the development of the industrial resources of the country. In the earlier periods of her political existence, the continual hostilities which the clannish or feudal state of society engendered, exercised a fatal influence upon her progress. "One of the worst results," says Mr. Moore in his history, "of that system of law and government in which Ireland first started into political existence, and retained in full vigour of abuse for much more than a thousand years, was, the constant obstacles which it presented to the growth of a public national spirit, by separating the mass of the people into mutually hostile tribes, and accustoming each to merge all thought of the general peace or welfare in its own

factionous views, or the gratification of private revenge." To this unhappy propensity of preferring private interest to public welfare, were the Danes indebted for the footing they were able to maintain so long in the country. Even when the Romans held Britain one of the native princes promised to put Agricola in possession of the Island. Agricola however, kept him by him for a fitting opportunity. "Agricola, says Tacitus," *expulsum seditione domesticâ umun ex regulis gentis exceperat, ac specie amicitie in occasionum retinebat.*" We need not refer to the period when Ireland was sacrificed to the private feelings of a petty prince, and deserted by her faithless son, fell into the hands of Henry II. Then a continued persecution of the original inhabitants commenced, the consequences of which are not yet completely obliterated. A frightful war sprung up between the invader and the invaded, but even in presence of this great evil the private quarrels of the petty princess still continued, and by impeding all unanimous opposition to the attack of a stranger, achieved for him a conquest which the unaided efforts of the assailant never could have gained. Then were incorporated the subdued counties into what has called "the English pale," to be without which was synonymous with annihilation.

But when James the First ascended the throne a new element of discord was introduced into this already distracted country. The doctrines of the Reformation had found few followers amongst the Irish, but at this period a fertile source of discontent was created by the establishment of a Protestant colony in the north, which adding to the many causes of discontent already existing that of difference in religious belief, gave rise to those frightful scenes of unavailing resistance and unrighteous persecution to which the history of no other country affords a parallel. To the hatred which the Celt felt towards the Saxon was now added the animosity between the Catholic and the Protestant. The entire English population clung so closely to the interest of the country of their birth, that frequent quarrels, reciprocal enmity, and mutual retaliation, were the consequences of this unwise policy. In other countries, as in England, the conquerors coalesced with the conquered, and their united exertions secured the acknowledgment of their common liberty. But Ireland, cursed by the domination of race over race, and religion over religion, presented the anomaly of a people differing in language, in customs, and in

religion, dwelling, it is true on the same soil, but drawn by feeling and interest wide as the poles apart. Some indeed, influenced by upright motives and sound policy, sought a union with the original possessors of the soil; but the purity of their motives was doubted, the soundness of their policy was questioned, and, mistrusted by those whose alliance they courted, despised by those whose party they had deserted, they exercised little influence upon the course of subsequent events, and either sunk into total insignificance or rejoined the ranks of their compatriots. During a period so disastrous little progress could be made; for as *leges inter arma silent*, so a time of internecine strife is but ill adapted for the cultivation of peaceful arts. Nevertheless the Irish people were even then remarkable for their woollen fabrics till Strafford interdicted their manufacture, lest it should interfere with the English trade in this commodity, which was then becoming the chief article of export with her merchants. Then the great factories were closed and thousands were deprived of the means by which they had been enabled to earn an honest livelihood. It is needless to draw attention to the frightful massacres which distinguished Cromwell's career in this Island; they are too deeply impressed upon the minds of the people to need a reference, nor do we wish at all to touch upon exciting themes save only so far as they are necessary for the due performance of our present duty. On the accession of James a gleam of hope shot athwart the darkness and despair which had hitherto enshrouded the nation, but alas its short duration only served to render by contrast the subsequent desolation more intolerable. The feelings of James naturally impelled him to extend to his Catholic subjects a participation in those liberties which their forefathers had won when the mitre of Langton proudly glittered in the van of England's chivalry, and the crozier and the sword were united to wrest from a false and pusillanimous prince the charter of a people's independence. He wished to grant to them a fair portion of a those liberties of which their immediate ancestors had been so unjustly deprived. But while thus anxious to gain for his co-religionists admission within the pale of the constitution, he never dreamt of disturbing the members of the established church in the possession of those rights they were entitled to enjoy. Unlike his son-in-law, who, with toleration on his lips, but persecution in his heart, plotted the extirpation of the popish clans in the Highlands, by an act of inhuman barbarity, and with no less disgraceful duplicity drove forth from

the land of their sires the loyal Irish Catholics to seek beneath a foreign flag that glory, in a foreign clime, that freedom denied to them at home; unlike him James ardently desired to maintain the spirit of toleration—that boast of the English constitution—in its integrity, and to vindicate from the unjust aspersions which religious intolerance had cast upon it the glorious principle of universal emancipation. In England the besotted ignorance of Parliament impeded legislation on this subject, and forced James to adopt a course which, though not strictly constitutional, is yet not wholly indefensible. For however we may blame him for violating one of the fundamental principles of the constitution, we very much question if Parliament be not open to severe animadversion for abrogating another, not less necessary for the well being of the nation, viz., universal freedom. However then we may censure James's measure, we must at all events accord to him our full meed of praise for the wisdom of the policy he sought to carry out, a policy to which a subsequent government was forced to conform, as the only means of preserving the integrity of this Empire. We do not mean to become the advocates of James. We have already expressed our opinion upon his conduct, but we must again deprecate the uncandid criticism by which rules of government which hold in the nineteenth century are applied to acts done at a time when, though undoubtedly these rules existed, the line of demarcation which separated the right of the Crown to control the Parliament, and the authority of parliament to resist the exercise of the prerogative, had not been accurately ascertained or clearly defined. James had sought to place the constitution in the position it should occupy. But the English, who forgot in their new-fangled notions these very privileges for which before they had fought and bled, drove him from his throne, and placed thereon William and Mary.

But in Ireland things were differently managed. Then as now her interests were little attended to, and by means of a courteous Viceroy many things could be accomplished which in the sister isle could never be achieved. By gradual steps the power formerly wielded by the Protestants to the exclusion of the Papists came to be shared in by the latter without material injury to the professors of the reformed faith, and surely it was not unnatural that the preponderating element of the population should become the preponderating element in the council by which that population was governed. But when William landed this state of things was altered, and the

power of the sword was again handed over to those who had before so flagrantly abused it. In England those who fought for William fought for an abstract principle of constitutional right, but when we cross the channel we find the same class which had sustained his pretensions seeking to abrogate a much more clearly established principle of the same constitution, and to invade not merely the political liberty but the personal existence of a long oppressed people, whose deserted schools, ruined shrines, and desecrated temples, proclaimed in language not to be misunderstood the horrors of that system, compared with which all the terrors of the Spanish inquisition sink into insignificance. Whilst admitting to some extent this state of things, whilst blaming us for ignorance when education was proscribed, whilst insulting our poverty when to be otherwise was penal, Mr. Macaulay educes from these circumstances an excuse for retaliations which never occurred. For when rebuking us for a legislation unwise and unmerciful, he seeks to justify our conduct on grounds repugnant to morality and Christianity. He says :—"Of legislation such as this it is impossible to speak too severely, but for the legislators there are excuses which it is the duty of the historian to notice. They acted unmercifully, unjustly, unwisely, but it would be absurd to expect mercy, justice, or wisdom, from a class of men first abased by many years of oppression, and then maddened by the joy of a sudden deliverance and armed with irresistible power. The representatives of the Irish nation were, with few exceptions, rude and ignorant, &c., &c." It is not necessary for us to give the extract in full ; it will be found in page 209 of the third volume of his history. Now, let us ask, what was this legislation so unjust, unmerciful, and unwise ? Before entering upon this subject it may be as well for us to observe that the chief source whence he derives his information is "King's State of the Protestants in Ireland," a sufficiently suspicious authority. But Mr. Macaulay even goes beyond his authority, and states as facts matters which King himself, with all his bigotry, does not dare to affirm. Mr. Macaulay's other sources of information are equally respectable ; viz. :—"A true account of the present state of Ireland, by a person that with great difficulty left Dublin." "Walker's true account." "Ireland's Lamentation ;" "Sight to the Blind," &c.

But what was this legislation ? This unmerciful, unjust, and unwise parliament passed thirty-five bills—many of which Mr. Macaulay altogether ignores. But those he does refer to, he refers to only to misrepresent. One of the first measures of this parliament

was one which reflects credit on James's consistency, it was "An act for liberty of conscience." Now, kind readers, follow us, and then read Mr. Macaulay; another was concerning tithes and other ecclesiastical duties. This is represented by him to have been an act which transferred the greater part of the tithes from the Protestant to the Roman Catholic clergy. Keeping in mind the fact, that the Papists were paupers, while the Protestants revelled in wealth, we shall consider the clauses of this statute which refer to this subject. It enacts:—

"That the Roman Catholics shall and may set out and pay their own tithes and oblations to their own clergy, and to no other of what religion or persuasion whatsoever, all tithes paid by Protestants to be paid as before to the Protestant clergy." Just the system for which now so many distinguished men in England are laboring, and which we poor Irish would wish to see established, the voluntary system, by which each creed should support its own pastors. Then would that bloated enormity which even its friends cannot defend, the Irish Church Establishment, be torn up by the roots, that degrading institution which, like an incubus, broods upon this unhappy country would be removed, those vultures who gorge themselves on the very vitals of the people with an appetite which grows by what it feeds on, would be driven out, and peace, prosperity, and happiness would reign in this then united country. For it is our deliberate opinion, arrived at in no inimical spirit, that despite Emancipation acts, despite Maynooth grants, despite every liberal measure a liberal minister may propose, or an enlightened legislature sanction, the Irish Catholic can never feel himself on an equality with his Protestant fellow-countrymen until that most obnoxious enactment is repealed which forces him to contribute to the maintenance of those whose chief mission seems to be to vilify that religion from the professors of which their chief support is derived, by representing its doctrines as blasphemous, its worship idolatrous, its pastors impostors, and its followers dupes. Let us not be misunderstood. We mean not to offend those who while differing from us on conscientious grounds, would wish to accord to us the same liberty they claim for themselves; we assail a system under which such abuses as confessedly exist in this country, could arise, and arise too from the very nature of the institution.

What would be the opinion entertained by rational men of the sanity of the individual who should propose that lawyers

should receive fees from those who never go to law, and should defend his measure on the ground that they had the opportunity of doing so if they had wished to avail themselves of it. Would Parliament enact such a measure—would the people tolerate its enactment. Never! This parallel suggests to our recollection a story we once heard, of a barber who was called upon by the parish clergyman for his dues. "Why should I pay," said he, "I never enter your church." But you might if you liked, replied the apostle of toleration. Convinced either by the logic of the divine, or by the more formidable argument, the presence of a pair of bailiffs by whom this meek disciple of reformation (?) was accompanied, he paid the money; shortly after, the barber sent in to the minister a bill for shaving; the indignant parson exclaimed, "you never shaved me, I never entered your shop for the purpose." "Ah yes," replied the astute barber, "but I would have shaved you had you come, and my shop was always open." We know not if this as it may be termed retort courteous had the desired effect. But between the church and the barber we have neglected our subject. His next object of antipathy is the "Act for the Repeal of the Act of Settlement." Mr. Macaulay says, there was no provision made for the innocent purchasers of the estates which had been forfeited under the act of settlement. So far from this being the case, King distinctly admits the existence of an express clause for indemnifying purchasers. We do not mean to enter into a detail of this statute, but commend it to the perusal of our readers. We shall conclude this portion of our subject by mentioning the parties who constituted this assembly. Mr. Macaulay makes the number of peers spiritual and temporal who attended this parliament, thirty-five, there were fifty-six. He mentions four bishops, in this he is correct; but he forgets to mention that two more acted by proxy, the bishop of Meath holding that of the Primate, the Bishop of Ossory that of the Bishop of Waterford; all of these were Protestants, and not one single Catholic Bishop was summoned. The commons, he states, to have numbered 250; King says 230, of whom, judging from the list he furnishes in his appendix, 169 were English and some of the Celts were Protestants. So much for Mr. Macaulay's impartiality (?) and James's bigotry. We again warn our readers to receive all Mr. Macaulay's statements cum grano, and certainly they do require a deal of seasoning to make them palatable.

Having thus disposed of the civil, we now take up some of the military events of this period, and in his account of these Mr. Macaulay will be found to be equally correct?

Whilst the country was agitated by these opposing interests, what was William doing? Tying with Villiers, we suppose, anticipating the time when he should have an opportunity of rewarding her disinterested affection. However he was occupied, he neglected to send succours to Ireland. He would scarcely listen to accounts brought from that country, or see those who brought them. It was said he had been led astray by Richard Talbot, who was viceroy under James, and who had acted in that capacity for the furtherance of his royal master's interest. This nobleman had been sought to be made the victim of Oates' lying testimony; but, by an opportune flight, he escaped the danger which others less fortunate incurred. His policy was to place the Irish Catholics in the position to which by their numerical superiority they were entitled, and thus make friends for James in the hour of trial, which his sagacity led him to believe was not far distant. The English and Scotch settlers of the North, sought to repair the losses they sustained by Tyrconnel's measures of disbanding Protestant corps. Swords were sharpened, and fire-arms were regarded as priceless treasures, and they prepared to stand on the defensive. In his account of James's army Mr. Macaulay represents them as totally deficient in discipline, and indulging in the most cruel barbarities towards the Protestant inhabitants. Now Sir John Hill, afterwards governor of Fort William, tells in a letter to Thomas Pottinger, the sovereign of Belfast, how well grievances were redressed, and King James's army kept to strict discipline, and Dr. Leslie observes, "had the Protestant officers of King William's army been as careful of their fellow Protestants in that country, Ireland had not been the wilderness and desolation which we see it at this day." "It is just and commendable," he continues, "to give our enemies their due, and not to conceal or lessen what they do worthily. Many of the Irish officers were kind to the Protestants, not only in making good their protection to them, but even when they had no protection and were at their mercy." James himself endeavoured to give them every protection. Notwithstanding the badness of the weather and the difficulties of the journey, he, soon after his first arrival in Dublin, went to Derry to prevent injury to their property, or insult to their persons;

but he was fired at from the town. Nevertheless as many as stayed at home and trusted to the king's protection, preserved their goods and property. But then, as now, doubtless there were erratic spirits who wandered about the country insulting the people, and reviling their religion, calling them bloody papists and telling them to remember "'41." Very probably they got mobbed and properly, but this should not be charged against the tolerant spirit of James, nor the just administration of the law; for they who seek protection from the law, should not themselves be seen to violate it. Such, however, was James's desire to guard his Protestant subjects, from danger, that even in his last address to the citizens of Dublin, in which he bid them farewell, previous to his final departure to the Continent, he expressly desires his followers to be kind to the Protestants. This speech, Mr. Macaulay disgracefully misrepresents, and suppressing all mention of this passage takes occasion to drag in a eulogy of William, quite out of place and totally at variance with truth. It is too bad, it vexes us to see this constant effort to elevate at the expense of others, the character of a man who was certainly not a whit better than his neighbours.

Mr. Macaulay devotes an immense number of pages to the siege of Derry, whilst he dismisses the much more important ones of Limerick, particularly the second siege of that city, in a very curt manner. We shall not offer any remarks upon the details of these military transactions, except to state a few facts. Mr. Macaulay takes great credit for the defence of Derry, and no doubt it was a brave thing to do; but he was perhaps misled into believing it of much greater brilliancy than it was, by the account which Walker gives of the strength of the besieging army, and the great numerical inferiority of the besiegers. The following statements will show that it was by famine alone the Irish soldiers could hope to gain possession of the town; for though Walker states the number of armed men in the town to have been 7,500, other accounts more to be relied on, give the number at 10,000 fighting men, and a contemporary Williamite authority mentions 12,000 men in arms, and besides these were 30 pieces of cannon on the walls. Walker says the Irish were 20,000 strong, whereas in fact there were but 5,000 or 6,000, and the battering train was but six guns of heavy calibre, and these they could not always direct against the town, being obliged to remove them from before the walls

towards Culmore, to prevent Kirk's ships from getting on that side with provisions into the town. The same exaggeration is to be found in the account given of the Battle of the Boyne. Macaulay sets down the Irish as 30,000, the troops of William as 36,000. The fact is, the troops of William numbered from forty to fifty thousand men, well disciplined and accustomed to war; the Irish about 25,000, mostly raw recruits unused to battle. The former commanded by a man animated by the resolve "*flectere si nequit superos acheronta movebit*," for the destruction of the Irish Catholics; the latter officered by brave warriors, but headed by a chief who seemed to be laboring under the influence of some fatal spell; for when he saw the regiments of his opponent crossing the ford, he exclaimed, "Well done, my noble English." But when the gallant Irish repulsed the attack, the cry of the craven was, "Oh spare my English subjects;" and then he ran away to Dublin, and set off as soon as he could for France. Of course it is not necessary to mention the result of the battle, commenced under such auspices; nor need we again refer to the speech James made in Dublin. But we shall turn our attention to the second siege of Limerick. Every one is acquainted with the chief events of this siege. Every one knows the daring valour of Sarsfield, his courage and his skill, his love for his country, and his loyalty to his king. Whatever he did was well done, was nobly done. Perhaps his highest praise will be considered to be in the fact, that he alone of those connected with Ireland, he alone of those who followed faithfully the fortunes of James, has escaped the venom of Mr. Macaulay's anti-Jacobite, anti-Irish, and anti-Catholic malignity. All may be then well assured, that what man could do he did to preserve this last stronghold of his master's power. But finding resistance unavailing, and induced by the offers which William had made, he agreed to capitulate on certain conditions; these Mr. Macaulay considers unreasonable; they were:—That all offences should be covered with oblivion, perfect freedom of worship allowed to the native population, &c., &c. At the very moment of the capitulation, there was a proclamation in print, though afterwards suppressed, granting the very terms demanded, but when William got the poor Irish into his power, he forgot his former promise and suppressed his proclamation.

They were driven forth, those gallant troops, whose bravery

under the French flag has rendered the title by which they were known, the synonyme of courage, wisdom, honour, and virtue ; whose fiery impetuosity has astonished their friends, terrified their enemies, and wrung from the English king the highest eulogy he could confer, "Cursed be the laws which robbed me of such soldiers."

Having thus briefly referred to Irish affairs, we now come to the deepest stain upon the character of William, a stain which no arguments can increase, and none diminish ; an outrage on humanity no sophistry can palliate, no eloquence defend,—the Massacre of Glencoe. Yet Mr. Macaulay, who throughout has shown himself the advocate of William, through good report and evil report, hesitates not on the present occasion to do battle in his cause. It appears to us that those lines of Shakespeare might not unaptly be applied to his exertions in this behalf :—

"On horror's head, horrors accumulate ;
Do deeds to make heaven weep, all earth amazed ;
For nothing canst thou to damnation add,
Greater than this."

Nothing so surely lessens the influence of an advocate with the public, as an attempt to sustain a groundless defence by the distortion of fact and the perversion of reason. How much more then is he to be mistrusted, who prostitutes his noble talents to the petty purposes of faction, and seeks to justify by falsehood and misrepresentation a crime which successive generations, with all the materials for forming a judgment before them, have stigmatised as an act of black-hearted villany. Happily, a superstructure founded on falsehood, stands at best on but an insecure and unstable basis ; truth will out, and then the tottering fabric crumbles into dust ; *magna est veritas et prevalebit*.

Let us not be told that in a neighbouring nation, ruled by a great prince, unoffending Christians were, with his sanction, murdered for, as it has been often stated though untruly, worshipping God according to their conscience ; for admitting that many fell in the Massacre of Saint Bartholomew, though the details of the transaction have been greatly exaggerated, we have yet to learn that the crime of one man can be pleaded in justification of that of another. Will any one have the boldness to affirm, that because the Puritans decapitated Charles the First, the French Revolutionists were justified in bringing Louis the Sixteenth to the block ; or to take a more recent case ; what would be thought of the man, who, having murdered his friend and benefactor, should put

upon the record a plea setting out, that Palmer had done the same thing, (*and been hanged?*) would it not rather be considered an aggravation of his offence, than a palliation of his guilt? For what are the objects of punishment, but to chastise guilt for itself, and to warn innocence from those courses which will inevitably lead to its infliction? But of what utility it may be asked is punishment as a warning, to a then unborn people? None. Were it not that history draws from the example of the past, lessons for the instruction of the future, in order that by viewing therein, the motives which actuated kings, and ministers, and nations, to pursue a certain course, under particular circumstances, by witnessing the success or failure which attended their efforts, by weighing the soundness or unsoundness of the theories on which they acted, the policy or impolicy of the measures they proposed, and the propriety or otherwise of the means they adopted to carry them out, by testing the principles from which they reasoned, and the process by which they deduced the conclusions to which they arrived, their rashness and duplicity, their prudence and good faith, we may know how to guide our course in similar emergencies, due regard being had to the peculiar requirements of the age; that considering the vices by which some were debased, and reflecting on the virtues by which others were exalted, we may be enabled to avoid the former, and imitate the latter. How guilty then is he, who by falsifying a historical narrative, offends not alone against truth, but against virtue, and by misrepresenting a historical character, misleads the living and calumniates the DEAD. To little purpose has history been written if its pages are to be searched with scrutinizing eye to discover in the annals of a period long passed away, a justification of evils which may at present exist.

It is well-known that the Scotch have ever regarded with peculiar reverence the House of Stuart, and notwithstanding the unwise policy which prompted its sovereigns to try to uproot the religious tenets of the people, and to impose upon them a form of worship they abhorred, the brave Gaelic clansmen were true to that dynasty during the most disastrous periods of its existence. It cannot be wondered at then that when James was expelled, and William elected to fill the vacant throne, these old royalists long hesitated to give in their adhesion to the newly established order of things. For this reason many were distinguished by the personal enmity of those in power, but foremost amongst these was one whose

tragic fate none can tell without a tear, and whose memory is embalmed by the horrible treachery of which he was the victim. This was Mac Ian, the head of the Clan Macdonald, a chieftain of venerable age, majestic appearance, and possessed in a large measure of high intellectual qualities; he dwelt with his clan far from the busy haunts of men, amid lofty mountains and huge precipices, whose summits were covered with almost perpetual snow, in a valley the name of which in the Gaelic tongue, signifies the Glen of Weeping. He had amongst others brought upon himself and his clan the enmity of three most powerful courtiers, Breadalbane, Argyle, and the Master of Stair, who used all their influence to procure the destruction of himself and his race.

Two years having elapsed, and many of the Highland tribes still holding out against the authority of William, it was determined that a proclamation should issue promising pardon to those who should before a certain day lay down their arms and take the oath. The three above mentioned hoped that none would submit, and the Master of Stair wrote to the commander of the forces in Scotland with terrible calmness and conciseness, directing him to use his troops for the destruction of the country of Lochaber, Lochiel's lands, Keppoch's, Glengarry, and Glenco's, promising him extensive powers, and expressing a hope that he would not trouble the government with prisoners. Their expectations, however, were partly disappointed, for all save one complied with the conditions, and took the oath within the prescribed period; that one was Mac Ian's clan. He, with the haughtiness which the long habit of unrestricted command naturally produces, refused to be the first to yield submission. But when he saw those chiefs whose ancestral glory was not inferior to his own quietly submitting to the ordinance of the usurper, he too determined to present himself before the officer appointed to administer the required test. Accordingly on the last day allowed for the purpose he repaired to Fort William attended by his followers, and offered to take the oaths. But Colonel Hill was not a magistrate, nor was there one nearer than Inverary. The governor, however, a gallant officer, pitying the miserable plight of these unfortunates, gave them a letter to the sheriff of Argyleshire, recommending them to his protection, and carrying this document they set out on their long and toilsome journey. Notwithstanding their desire to make all haste upon

the way, such were the obstacles that beset them and impeded their progress that they did not reach their destination until the sixth of January. On presenting themselves before the sheriff he hesitated, but such was the sympathy which the worn and travel-stained aspect of the venerable old man and his followers excited, that the magistrate relented, admitted them to take the oaths, and forwarded to the Council of Edinburgh a certificate setting out the peculiar circumstances under which he was induced thus to relax the stringest terms of the order. Satisfied that they had thus fulfilled the spirit if not the letter of the proclamation, they returned to their dwellings in the assurance that their submission would be accepted. Penal laws should ever be liberally construed, and the spirit much more than the letter regarded in the interpretation of their clauses. This is the rule laid down by our ablest lawyers, and maintained in our courts of justice. But if these unhappy men trusted to such a view influencing the councils of their enemies, their expectations were doomed to be miserably disappointed, for little they knew the insatiate fury which animated those who had vowed their extermination. The news that Mac Ian had not submitted within the prescribed time was received by the three courtiers with cruel joy. Stair is reported to have said in a letter to Levinge, "I could have wished the Mac Donalds had not divided," but there still remained for his consolation the knowledge that the Glencoe people had not succeeded in eluding his grasp. He therefore proceeded to arrange his plans for wreaking on this devoted tribe an unexampled vengeance, and obliterating the recollection of his former chagrin at the escape of so many of his predestined victims, in the blood of these objects of his hate. We shall allow Mr. Macaulay to tell the tale in his own words:—

An order was laid before him (William) for signature. He signed it, but, if Burnet may be trusted, he did not read it. Whoever has seen anything of public business knows that princes and ministers daily sign, and indeed must sign, documents which they have not read, and of all documents a document relating to a small tribe of mountaineers living in a wilderness not set down on any map, was least likely to interest a sovereign whose mind was full of schemes on which the fate of Europe might depend. But even on the supposition that he read the order to which he affixed his name, there seems to be no reason for *blaming him*. That order directed to the Commander of the Forces in Scotland, runs thus:—*As for Mac Ian of Glencoe and that tribe, if they can be well distinguished from the other Highlanders, it will be proper, for the vindication of public*

justice, to extirpate that set of thieves. These words naturally bear a sense perfectly innocent, and would but for the horrible event which followed have been universally understood in that sense. It is undoubtedly one of the first duties of every government to extirpate gangs of thieves. This does not mean that every thief ought to be treacherously assassinated in his sleep, or that every thief ought to be publicly executed after a fair trial, but that every gang, as a gang, ought to be completely broken up, and that whatever severity is indispensibly necessary for that end ought to be used. If William had read and weighed the words which were submitted to him by his secretary, he would probably have understood them to mean that Glencoe was to be occupied by troops, that resistance, if resistance were attempted, was to be put down with a strong hand; that severe punishment was to be inflicted on those leading members of the clan who could be proved to have been guilty of great crimes; that some active young freebooters who were more used to handle the broadsword than the plough, and who did not seem likely to settle down into quiet laborers, were to be sent to the army in the Low Countries; that others were to be transported to the American plantations; and that those Macdonalds who were suffered to remain in their native valley were to be disarmed, and required to give hostages for good behaviour.

We have given this passage in full as well in justice to the writer as to relieve the tedium of the dry criticisms in which we have been indulging. We shall now consider it in detail, and we hope we shall be able to show that it is at variance with fact. The reference to Burnet is introduced as a saving clause to relieve the historian from the liability of stating what he knew to be false. But it seems inconsistent with Mr. Macaulay's acknowledged industry to suppose that he to whom every source of information was willingly disclosed, from the secret archives of state paper offices to the carefully guarded arcana of private libraries, should have been compelled to resort for evidence in support of his statement to the authority of this rash and partial writer. We cannot imagine that he could have been ignorant of the existence or unacquainted with the contents of documents which are to be found in Dalrymple's collection and Mr. Burton's works. From the former it would appear that Breadalbane had suggested a project for prevailing on the Highland clans to lay down their arms. His scheme was that a pardon and £12,000 should be given to the Highlanders in arms, and that pensions should be given to all the Highland chiefs in Scotland under a condition of their holding 4,000 of their people disciplined for war, and ready at a call to serve at home or abroad. This plan, which was communicated to Sir John Dal-

rymple, the Secretary of State then in attendance upon the king in Flanders, was by him readily adopted and laid before the King, who approving the suggestion, commissioned Breadalbane to adjust the terms, which he had nearly succeeded in doing when the jealousy of the Duke of Hamilton prevented the conclusion of the treaty. Many accusations were made against Breadalbane, but William disregarded them, observing with his usual brevity, "men who manage treaties must give fair words;" with these observations he proceeds to quote Dalrymple's account :—

Breadalbane retained deep in his mind the sense of the Highlander's breach of faith, and of the injury which they had attempted against him. He communicated his own passions to Sir John Dalrymple, and the King, who had been long teased and stopped in pursuits he had more at heart by the turmoils of Scotland, was himself irritated. A new scheme was suggested by Lord Breadalbane, adopted by the Secretary, *and assented to by the King*, for cutting off all the Highland rebels who should not take the oaths to the new government within the time prescribed by the proclamation. The mode of the execution was intended to be by what was called in Scotland "*Letters of fire and sword*," an inhuman, but legal weapon in the law of that country against attainted rebels. The order was sent down to the privy council which, without remonstrating against it, appointed a committee to carry it into execution, and ordered money, a ship, and other military preparations for that purpose. Breadalbane, Torbet, and Argyle, had privately agreed to give their assistance if necessary. The King's troops were properly posted; the Marquis of Athole, who by means of General Mc Kay, had for some time been paying court to the new government, had a hundred men ready. And there is reason to believe that some of these lords were flattered with the prospect of part of these rebel's estates. It is probable that some of the privy council gave warning to the rebels of their danger. For all the attainted chieftains with their people took the oaths before the time prefixed except one; that one was Mac Donald of Glencoe.

He then relates the circumstance of Glencoe's presenting himself to take oath, which we have already related, and then proceeds :—

Advantage was taken of Glencoe's not having complied literally with the terms of the proclamation and a warrant to proceed to execution was procured from the King, which was signed both *above and below with his own hand*.

True he signed it, but did not read it, says Mr. Macaulay; paltry excuse. Were it similar in character and extent to those dry and voluminous protocols which now-a-days are considered

necessary for the adjustment of the most trifling difficulties, some such apology might perhaps be accepted, but when we consider that this document could not have exceeded one or at most two lines, we confess we are unable to admit the validity of the excuse. He did'nt read it, very good, he did not, he had no occasion for he well knew its contents and the purpose for which it was obtained. For taking the order in conjunction with the proposal to which without doubt he had assented, it will manifestly appear that order was only an authority to the Commander of the Forces to proceed to execute the design the king had previously sanctioned, which was to cut off all the Highland rebels who should not take the oath in the prescribed time. For it is clear from the statement of Dalrymple, founded on the original documents, that William was consulted at every stage of the proceedings.

But if the perusal of these documents to which we have referred above, would not have enabled Mr. Macaulay to arrive at a sound conclusion on this matter, we are sure that the courtesy which prompted the Marquis of Breadalbane to permit to a writer in the *Edinburgh Review* an inspection of the family papers, would have induced that nobleman to afford every facility to Mr. Macaulay for informing himself thoroughly upon this interesting subject. In the observations of that critic upon this point we fully concur, although we dissent from his unqualified praise of Mr. Macaulay's former volumes. We are indebted to this gentleman for furnishing us with some selections from the Breadalbane collection to which we would otherwise have no means of access, and which render the materials for forming a correct estimate of William's knowledge of the intrigues of his courtiers still more complete. Acknowledging our obligations to this writer, we shall make no apology for using those documents in the noble cause in which we are embarked, the vindication of truth. We shall not insert the entire number of letters, nor the entire contents of each, but only those portions we consider most to bear upon the view we have adopted, leaving it to the discretion of our readers, to refer to the January number of the *Edinburgh Review* for the entire of their contents. On the 27th October, 1691, Stair writes to Breadalbane. He says :—

“You have done very generously, born a Campbell, to have favored so much for Macdonalds, who are the inveterate enemies of your clan, and both Glengarry and Keppoch are

Papists, and that's the only Papist clan in the Highlands. Who knows, but by God's Providence *they are permitted to fall into this delusion, that they may only be extirpate, which will vindicate their Majesties' justice, and reduce the Highlands, without further severity to the rest.*"

The snare which had been spread to catch the Papist clans, enclosed in its toils the unhappy Glenco. On the 31st, Linlithgow writes:—"Business at home and abroad, go as well with the King as is possible. Ireland is entirely reduced, and Parliament here is going on with all the cheerfulness and frankness imaginable; so that if some of your clans do all by themselves, it will be very metttled. *But the last standers out may pay for all,* AND BESIDES, I KNOW THE KING DOES NOT CARE THAT SOME DO IT, THAT HE MAY MAKE EXAMPLES OF THEM."

This affords us evidence, not alone of William's knowledge of the state of the negotiations, but of his opinions with regard to those who stood out, and the policy he meant to pursue towards them. The letter of Stair, of the 3rd November, is if possible, still more conclusive. He writes:—"My Lord—I SHEW (SHOWED) YOURS OF THE 27TH OF THE LAST TO THE KING. I am sorry for the difficulty you find, &c." After referring to Catholic scruples about the oath of allegiance, he says:—

"I wrote to you formerly that, if the rest were willing to concur, as the crows do, to pull down Glengary's nest this winter, so as the King be not hindered to draw four regiments from Scotland; in that case the destroying him and his clan, and garrisoning his house, a middle for communication betwixt Innerlockey and Inverness, will be as acceptable as if he had come in. This answers all ends, and satisfies those who complain of the King's too great gentleness. The King hath said to the D. Q., (Duke of Queensbury), that he will very shortly end all Scots' affairs, but it you be here any time in November, you will not come after the mercat."

There are many other letters in this collection which we refrain from quoting, as we consider it would be unfair to trespass too largely upon the materials furnished by the industry or influence of a fellow laborer. We have, therefore, only presented to our readers, those of them which we consider sufficient to produce conviction. This able reviewer, in commenting upon these letters, observes:—

"It is plain enough that the Government were desirous of an opportunity to strike a blow which should be remembered. That Breadalbane, and his negotiation, and its pro-

bable result were talked over from week to week in the highest quarters; and above all that King William, so far from being indifferent to the affairs of Scotland, was cognizant of all that passed; that he discussed the whole affair with Stair, with Queensbury, with Torbat, with Linlithgow, and with Crauford, at each turn of events; that the Queen herself had taken part in the deliberations, and *that the King was thoroughly acquainted with the intended course of his ministers.* The Glencoe people are not once mentioned in the whole correspondence, but the interest attached to this sanguinary transaction lies in the policy or the craft which dictated it, not in the individual character of the victims. Mac Ian of Glencoe, fell into the toils spread for Keppoch, and Glengary."

What now becomes of Mr. Macaulay's magnanimous declaration, enunciated with all the pomp and circumstance of an ex cathedra dogma, sustained by the *valuable*? evidence of his friend Burnet? In fact the public are now placed between the horns of a dilemma. If Mr. Macaulay be right, the original documents are wrong, and if the original documents are right, Mr. Macaulay must be wrong, and wrong too when he had every means of setting himself right, for to whom would it be probable a writer would apply for information if not to the descendant of one of the chief actors in the negotiations of the period, unless indeed he is to be classed with those, than whom none are more blind, who do not wish to see. Mr. Macaulay is very severe, and justly, upon those courtiers who first planned this diabolical scheme; he hopes to screen the arch delinquent from the obloquy to which his conduct has exposed him, by holding up to public execration the subordinates in this transaction, in imitation of those modern flagellants, who, with rigid fidelity, whip the enormities of great criminals upon the vicarious backs of small offenders, but it won't do. For if he read the order, is he not guilty of great cruelty in not demanding an explanation of its terms if he had any doubt of their meaning? If he did not read it, is he on that account less culpable? Oh, but it is the custom of princes and ministers to sign documents without reading them; granted. But will even Mr. Macaulay, with all his knowledge of official routine, be bold enough to assert, that ministers are ignorant of the substance and intent of their dispatches, and can he forget that they are open to enquiry, and obnoxious to the censure not alone of that august assembly which guides

the destinies of the kingdom, but of a still more formidable tribunal, before which even parliaments stand awed, Public Opinion. Let us suppose that such an order had emanated from the Home Office at the present day, and an enquiry instituted, and suppose a minister so totally devoid of reason as to defend himself on the ground that he had not read it. What would be the result? And shall we permit such a justification to be pleaded at the bar of the unanimous judgment of posterity. Great was the outcry, just the exasperation, with which was heard the intelligence, that in the black-hole at Calcutta a multitude of Englishmen had been entombed. How then can Mr. Macaulay who has arraigned the tyranny by which such an outrage was perpetrated defend, how can the descendants of those whose horror was excited by the recital of this ferocity, tolerate him while defending William from just censure for participating in an outrage not inferior to that which then evoked so unanimous a burst of national indignation?

What, let us ask, would have been Mr. Macaulay's estimate of the king's guilt had James and not William then filled the throne? Would he have alleged that he never read the order though he signed it. Would he have justified this course by a reference to the custom of princes and ministers? Would he have hinted that even had he read it *there seems no reason for blaming him*; that the order was perfectly innocent, and the king's mind too much preoccupied with the affairs of Europe to attend to the interests of his subjects? Would we have been gratified with the perusal of that ingenious theory on the duty of government with regard to thieves which at present is made public most opportunely? Many of our most distinguished men are devoting their talents to the elucidation of the vexata questio, "What is to be done with our criminal population?" some suggesting education, which perhaps might in time effect the desired object. Tickets-of-Leave have not been found adequate to the evil. But Mr. Macaulay's plan meets every difficulty, cuts the gordian knot, and does away with all necessity for penal settlements, bridewells, and reformatories; and his plan is this, beautiful in its simplicity, *EXTIRPATE THEM*. This, my Lord Palmerston; you must do, and if you do not you abdicate one of the highest functions of your office, for "*It is the duty of government to extirpate gangs of thieves.*"

Gentlemen of the Reformatory Association, you lose your labor, a discovery has been made to which that of Archimedes was but child's play, and our historian may now imitate the example of that hardy sage, and cry aloud, I have found it out, I have found it out. We are very sorry we have been betrayed into this departure from the course of our parallel; but being interested in the discovery of the best means for decreasing crime, we were very much struck by this really admirable suggestion of our author. We shall now resume.

Would Mr. Macaulay, in fact, have urged any one of those pleas in defence of James? We think not, judging from the unqualified terms, in which he refers to his conduct towards Monmouth, and from his interpreting a passage from James's Memoirs, relating to the efforts made to obtain his sanction of Charnock's plot (which he refused,) for carrying William off *alive*, to mean, of course, assassination. We incline to the opinion that the sentence would run thus:—The King cannot be blamed for signing an order to extirpate such a gang of thieves, for it is the duty of all governments to extirpate all gangs of thieves. To read a document such as this would have been an act of blameable mistrust of his ministers. But to sign it, and not read it, it was an outrage on decency and humanity.

Had Mr. Macaulay been contented to admit that in this one instance William had erred; but that his good qualities, and the advantages he had conferred upon these realms, are sufficient to outweigh, or at least may be set off, against illegal barbarity. We should not perhaps have objected to this course. But this would not answer his purpose. William must be apotheosised at all risks. He is a great king, giving freedom to a nation, and granting toleration to his subjects of all creeds, because he hates religious persecution; a domestic husband loving his wife, though not strictly faithful to her, and by treating with harshness and duplicity inspiring her with a passion fond even to idolatry; a man in whom vice becomes virtue, and virtue, supernatural, in fact a living, breathing, acting, impossibility. But admitting that he did or did not read the order, which ever Mr. Macaulay likes better, that he was not aware of the plots of his courtiers, how comes it that after he came to the knowledge of this scandalous butchery, he refrained from punishing the actors in it. There are three classes of offenders; those who

incite to or furnish the means of committing a crime; those who themselves are the actual criminals; and those who protect offenders from the pursuit of justice. Mr. Macaulay says that William cannot be placed in the first class. Many will be of opinion that he cannot be classed in the second category; but all will admit that he must be included under the third head of accessories after the fact. Even Mr. Macaulay concedes, that it is impossible to acquit the King of a great breach of duty. But after this frank admission he goes on in his old special pleading way, concerning the King's imperfect information as to the circumstance of the slaughter. In 1695 a commission of enquiry was issued, to investigate this matter upon which the public mind was so strongly excited. In return, the Scotch parliament, with all the obsequiousness of new born loyalty, passed a vote of thanks to the King, for this instance of his paternal care. The commission sat with closed doors; the commissioners and clerks were sworn to secrecy. After more than three weeks' delay, a report was produced purporting to be founded upon the evidence, and the conclusion at which the commissioners arrived was, that Stair was the cause of this barbarous murder. That Breadalbane was an accomplice was not proved. The report of the commission was considered by the estates. They sent forward an address to the King, in which, instead of demanding the punishment of Stair as a murderer, they left it to the royal wisdom to deal with him in the manner best calculated to vindicate the royal honor; and the royal wisdom very wisely allowed Stair to go unmolested. Mr. Macaulay says—"In return for many victims immolated by treachery, only one victim was demanded by justice, and it must ever be considered as a blemish on the fame of William that the demand was refused." Does this look like an accessory after the fact? We think it does, for what is the definition given by Blackstone? "One who aids in the escape of a criminal from justice, knowing him to be a criminal." Did William know Stair to be a criminal? The report of the commission was before him. Did he favor his escape from justice? Mr. Macaulay gives the answer. And if the law of England, usually so just in its judgments, allots to the accessory a penalty, little, if at all, inferior to the principal, by what law is William to be held guiltless of participation in

this treacherous massacre? We know not. Hallam who is not unfavorable in his view of William's character, says :—

"It is an apparently great reproach to the government of William that they (Stair and Breadalbane) escaped with impunity, but political necessity bears down justice and honor."

Mr. Macaulay, while confessing that it was a blemish on William's character, forgets to assign a probable cause for his conduct. And indeed, from his peculiar position, we could not expect him to allude to it. But Dalrymple, who wrote for the benefit of the public and not for the interests of a party, boldly affirms, that—

"The king would not permit any of those who were concerned in it (the massacre) to be punished, conscious that in their cause his own *was involved*."

With this extract we shall conclude. We have endeavored to shew how Mr. Macaulay has discharged the duties of the office which he undertook to perform, and on a deliberate examination of the contents of these volumes, of which our extracts are but meagre examples, we are confirmed in the opinion; that, notwithstanding his great reputation in politics, eloquence, and literature,—notwithstanding that singular felicity of style which causes page after page of his narrative to vanish under the entranced eye of the reader,—his book is a political romance, a work of genius, it is true, but of imagination also, a perfect illustration of *HOW NOT TO DO IT*; very agreeable to read, very unprofitable to study, an invaluable book for a circulating library, but a worthless addition to the collection of a student; false in its facts, uncandid in its criticisms, illogical in its reasoning, and unjust in its conclusions. We have now done. We are conscious of many defects, written during hurried intervals snatched from the more serious avocations of life; we fear our production is inaccurate in some respects, incomplete in all, for who can review Macaulay as Macaulay would review. This much we may safely assert, we have acted throughout with impartiality, extenuated nothing nor set down aught in malice, and we confidently ask for the integrity of our motives the sympathy of our readers, if our manner of carrying these motives into effect does not entitle us to their critical applause.

ART. VII.—THE ENGLISH FOLLY FORT—THE
CHURCH ESTABLISHMENT IN IRELAND.

1. *Tracts of the British Anti-State Church Association.*
— London: Cockshaw, 1857.
2. *A Proposal for Religious Equality in Ireland, and for a
Charitable Settlement of the Irish Church Question.*
Addressed to his Constituents by William Shee, Sergeant-
at-Law, M. P. for the County of Kilkenny. Dublin:
Richardson, 1857.

A piece of sound advice never since acted upon was given by Bacon in the year 1617 to Sir William Jones then lately appointed Chief Justice of the King's Bench in Ireland.—“My last direction,” he says, “though first in weight, is, that you do all good endeavours to proceed resolutely and constantly, and yet with due temperance and equality in matters of religion, *lest Ireland civil become more dangerous than Ireland savage.*” The same course of action then recommended, is equally advisable to-day, and the like evil result as then, is still to be dreaded from its non-adoption. We require a government that will be resolutely and constantly neutral between all religions, that will quietly reduce them all to perfect equality, and that having once made the law respectable, may hope for the first time to make it respected. Until this be done the expectation of lasting tranquillity for Ireland is quite delusive. The very circumstances on which small politicians found their hopes, are of all others the least favourable to a continuance of the stagnation which they call repose. In proportion as Ireland becomes enlightened and prosperous will her sense of dignity increase; in proportion as her power advances will she be resolute to use it; and in the inverse ratio of her drunkenness and her ignorance will be her toleration of the Church Establishment; a wrong which can only be perpetuated amongst sots and dunces. Ireland civil must become more dangerous than Ireland savage. The vile old type of the Irish peasant, we mean the stage peasant, the popular-tale-and-story peasant, the whisky-bibbing, jig-dancing, hooping, hiccoughing, cudgel-flourishing peasant is almost worn out, and we have broken the mould in which he was cast; the penal code of Christian England. The Church Establishment had nothing to dread from an enemy

of that stamp, nor on the other hand was it much in danger from what remained of the Catholic gentry. They too formed a portion of Ireland savage. Excluded from every career, without education, without spirit, without refinement, equally degraded by oppression and by pity, dwarfed in mind and faint of heart, they contracted themselves to their position, and bad as it was they made the worst of it. But we might easily be too severe, for we cannot quite realize that position. Every Catholic gentleman lay under a mountain of obligation to some Protestant neighbour who in disappointment of the law he had himself framed, and which he would probably have maintained to the last extremity, held under a secret trust for the wretched Catholic, the property which the latter was disqualified from holding in his own name. The Catholic thus held his own life and the lives of all he loved, at the mercy of a single man. In spite of himself and by mere instinct he composed his face and assorted his words when dealing with a trustee who in five minutes might consign him to hunger and to rags. He learned to be meek, but not for God's sake, to be abject of neck, not humble of heart, to shiver at a frown that might be his sentence, and to play for a smile which he might note as a reprieve. Unlike the English Catholics who had a shelter for their dignity in the reserve and coldness of the national character, the Irish owing to their more genial and impulsive disposition were seduced by the coarse pleasures and low ambition that solicited them. It was not for them to strive with the eloquent in oratory, with patriots in virtue, or with the brave in valour; their rivalry was with the gamester in gambling, with the sot in drinking, and with the bully in brawling. They could score bottle for bottle with any man; they could register feats of prodigious debauchery; they could tell the personal history, and deduce the pedigree of all the game-cocks or blood-horses within the four seas, but they could do no more, and were fit for nothing else. This portion therefore of Ireland savage was not very formidable to the Church Establishment, and what remained of Ireland savage was of course its champion. Never certainly had any institution of as vicious a character defenders of a much more savage nature. It would be a great mistake to suppose that the Protestant was many stages in civilization before the Papist. The latter was brutalized by defeat, the former by victory. The Protestant it is true was within the reach of civilizing influences, but they failed to civilize him. The English settler in Ireland after

one or two generations lost every trace of English character. To some of the rude virtues he added all the coarser vices of the natives and superadded all his own. He became ruinously hospitable, stupidly confiding, madly brave; but on the other hand he was sudden and brutal in anger; headlong in debauch; aduellist exactly as the New Zealander is a cannibal, by appetite; arrogant where he durst be, and cringing where he durst not; of a corruption so enormous as to make ordinary profligacy seem virtue by comparison; and of a tyranny so monstrous that its cold and advised cruelties were more shocking than the sportive wickedness of Phalareus or Domitian. In fact refinement of cruelty was the only refinement known to Ireland previous to the year 1793. This, however, was another feature of barbarism. The Indian that scalps his enemy with a hatchet of flint or bars his arrow with a fish bone, is astute in the contrivance of tortures that never occurred to the ingenuity of Greece or Rome, and it is not surprising that the Irish barbarian should have contrived a penal code the most perfect for its purposes that could be framed by man or demon.

It is perhaps fortunate that the laws were so very abominable, so utterly intolerable; as otherwise, and under a somewhat more indulgent rule, the Catholic population might have settled into an abject contentment, and have fared thankfully upon humble pie for centuries to come. The Dutch Protestants, quite as intolerant as the English, but more cautious, adopted the milder course of dealing with their Catholic countrymen, and Sir William Temple has stated the result. "The Roman Catholic religion," he says, "was alone excepted from the common protection of the laws. * * * * Yet such was the care of the State to give all men ease in this point, who ask no more than to serve God and save their own souls in their own way and forms, that what was not provided for by the constitutions of their government, was so in a very great degree by the connivance of their officers, who upon constant payments from every family, suffer the exercise of the Roman Catholic religion in their several jurisdictions as free and easy, though not so cheap and so avowed, as the rest. This, I suppose, has been the reason that, though those of this profession are very numerous in the country among the peasants, and considerable in the cities, and not admitted to any public charges, yet they seem to be a sound piece of the state, and fast jointed in with the rest; and they have neither given any disturbance to the

government, nor expressed any inclination to a change, or to any foreign power, either upon the former wars with Spain or the later invasions of the Bishop of Munster"—(Observations upon the United Provinces of the Netherlands—Works, vol. I., p. 58). The Irish Protestants, both before and after the Revolution, adopted a different course, and framed the obnoxious laws with whose history we are only too familiar. Yet these men were naturally nothing worse than other men—on the contrary it is to be presumed they had an average share of the good qualities that belong to the English nation, and it is evident there was in them no principle of repulsion to hinder their complete union with the kindly and forgiving people amongst whom they had come to live. The fault must be charged upon their position; but that position was made for them by the Church Establishment of which they were members, and for the best of all reasons, the reason that such a position was the only one in which such an Establishment could live secure and undisturbed. It was only in the meridian of Beresford and Heppenstall that the Establishment was vigorous and threatening. Outside an unmistakable and very peculiar state of barbarism, it may vegetate, but it cannot be said to live, or thrive. For the last eighty years every advance in civilization has been marked by some inroad upon the Establishment; but by inroads indicative rather of the native energy of civilization than of the well directed energy of the people. The tithe system, for instance, was felt to be incompatible with the peace and order that belong to a civilized community, but had the movements of the people been well advised, the system, instead of being reconstructed and adjusted to the imperfect civilization of the time, must have been destroyed at once, and not reserved to provoke new discontents, new agitation, and new conflicts. The natural effects of civil liberty—though clogged by religious inequality—are, however, beginning to show on the Establishment. The effects of education and reform are every day becoming more apparent, although undoubtedly, if we are to judge of Ireland by this single test of the Establishment, she is even yet one of the most uncivilized nations in the world. So late as the year 1845 Sydney Smith declared that there was no abuse like the Established Church in all Europe, in all Asia, in all the discovered parts of Africa, or in all that we had heard of Timbuctoo; and in the year 1857 we are entitled to presume that Dr. Livingstone has

found nothing like it on Lake Tchad, or he should have exhibited the uncommon monster in the Guildhall. There is, we believe, in Madagascar a something analogous. The king at his decease is buried with a gross of watches, the wardrobe of a regiment, pipes and tobacco for years, a plentiful commissariat, and a score or so of slaves to keep him company. We have thus in both countries a useless body lavishly endowed, but the analogy ceases here, for the Madagascar body is gorged once for all and dead, whereas the Irish body, far more noxious, is alive, has an appetite like Heliogabalus, and devours year by year a sum more than enough to buy the fee simple of Madagascar.

It is consoling, however, to know that although Ireland, the last born amongst the children of Europe as Bacon called her, is still under age; she begins to be of comely presence, and to give hope of a vigorous maturity. She has been for some time under a slow course of civilization, and every stage of her advance has been marked by danger and damage to the Establishment. It never could be otherwise, and those were right who held that the most minute atrocity of the penal laws could not be remitted with safety to the Establishment. That code was absolutely perfect *totus teres atque rotundus*. The current and the temperature are not more nicely adjusted to the constitution of the Victoria Regia in Chatsworth or the Regent's Park, than were the penal laws to the existence of the Establishment. Its life was purely artificial. Reduce the heat of bigotry, divert the current of passion, slacken the fires that maintain the one, derange the machinery that produces the other, and the Establishment, though it may survive, will certainly not flourish. Civilization is fatal to bigotry, it is fatal to unreason, it must therefore be fatal to the Establishment. Nothing could have been more frivolous than the attempt to secure the Establishment by the absurd and almost profane oaths imposed upon Catholics with reference to that Institution. They were so utterly futile and unmeaning, that Sir Robert Peel, the framer of them, declared, they left the discretion of Catholic members of Parliament as unfettered as that of any of their colleagues. If the Establishment had only the Catholic vote to dread it would be safe enough; but if the sense, the honesty, and the statesmanship of the Empire are concerned in its downfall, no Catholic disability can save it. The Church Establishment ran no

risk at any time from the mere increase of political power amongst Catholics. It was the breach in the system, the admission of air and light, the march of civilization, freedom of discussion, liberality amongst Protestants, education amongst Catholics; these it was that dealt the first blow against the Establishment; these it is that are in arms against it now; these are enemies against whom no severity can avail; and whoever promotes any of them must even without thinking or intending it, strike at the existence of the Establishment. In order to endanger the Establishment, it is not indispensable to vote with Mr. Miall or the voluntaries. The Catholic that uses the privilege of Parliament to promote education, to extend the franchise, to reform the administration, to raise the condition of the poor, does by a necessary implication use his privilege to the destruction of the Church Establishment. That institution has nothing to fear from the marksman or the pauper; but it has everything to dread from the pupil of the national school, and from the master of the national school, both perhaps prosperous men of the world through means of an education which the Establishment did its utmost to intercept. It is in danger from all who read according to their opportunities great or small; from those who in the most remote and rural districts continue to see their weekly newspaper, who perhaps beg or borrow or even buy Wyse's History of the Catholic Association, or O'Connell's speech for Magee, or perhaps a file of the old Evening Post itself, fearfully dog-eared and mutilated by tradition. It has still more to dread from the reading population of the towns, from the frequenters of Athenæums, and Institutes, and Young Men's Societies; whose small but frequent leisure has brought them into constant communion with minds not superior perhaps to their own, but better trained and furnished, and has enabled them to fill in from their own study and observation the outlines of knowledge mapped for them by lecturers or masters, and all this without prejudice to their earnest and practical religion. The Establishment may well look with apprehension to the independent farmer who in his unpretending but unincumbered affluence has time to think of politics and of Establishments as connected therewith; who has not death or the more abhorred work-house in prospect at the turn of every season, but may look to his deposit in the bank if his deposit in the earth should fail him. Although the man should not wear broad-cloth himself, he

has probably a son in preparation for the ministry, for there can be no greater mistake than to suppose that the priesthood of Ireland is recruited in any considerable degree from poor scholars, or from a class at all inferior in wealth and position to that from which most countries draw their working clergy. He has, it is quite as likely a son designed for some other profession, and perhaps a son who will ripen into the gentleman farmer, or into the small but substantial proprietor with a compact fee simple from the Incumbered Estates Court, and an ample capital to work it. These are precisely the men to feel inequality, to resent injustice, to be sensitive to dishonor. They are the representatives of Ireland civil, and events have shown that they must be more dangerous than Ireland savage.

The American and French Revolutions were the first civilizing agents known in Ireland since 1688. Under the salutary impression of these events the Penal Laws were slightly relaxed, and to instance only one indulgence, Catholics were allowed for the first time since 1703, to practise at the bar. The result shows how admirably the Penal Laws had been contrived, and how necessary was their bearing upon each other; for the man was already born, who by means of their relaxation, should within a few years be called to the bar, and from that place in the course of a few years more, destroy the ascendancy which had been built up at the cost of so much blood and crime, the ascendancy by which alone the Establishment could continue to live. Many, however, still continue under the influence of the curious delusion, that the Establishment can be maintained for ever by shifts and props, in defiance of circumstances not compatible with its existence. It is imagined for instance, that a technical and not very intelligible restraint upon the Parliamentary privileges of some twenty or thirty Catholic gentlemen will save the Establishment from common sense and statesmanship. The boat keeps its motion though the oars stop plying; the train runs after steam has been shut off; the Establishment lives after the death of ascendancy, but we can almost calculate how long. Indeed we are tempted to return to our old illustration drawn from the habits of the *Victoria Regia*, as furnishing to Mr. Spooner himself a sufficient proof that Ireland cannot be tied down by the disabilities real or supposed of Catholic members of Parliament. Suppose then Mr. Spooner's own house transformed into a conservatory for the *Victoria*

Regia by the Duke of Devonshire, without the master's consent, and in spite of his protests and resistance. The windows are shut down; the walls veined with flues; the slates replaced by glass, and the thermometer marks ninety in the shade. To make matters worse, the honorable member for North Warwickshire is tied hand and foot in the intolerable atmosphere lest, of his natural perversity, he should do some hurt to the Duke's favourite. While Mr. Spooner is agonising for breath, the Duke's servants composedly unlock his desk, appropriate his check-book, and open an account with his bankers for the support of the Victoria Regia. Not content with this, his Grace desires a new wing to be constructed, regardless of expense (the expense being Mr. Spooner's,) for the accommodation of Sir Joseph Paxton, the nursing father of the Victoria, and directs his man of law to raise a handsome rent-charge out of Mr. Spooner's estates, by way of salary for Sir Joseph, aforesaid. Mr. Spooner madly objects that he don't want the Victoria, he is vulgar enough to prefer the peep of a violet, or the blush of an English moss-rose to the loveliest exotic that ever bloomed or breathed. The Duke is inexorable; Mr. Spooner waxes faint; it is a question of your money or your life, and he prefers his life. He submits to any terms for a breath of air. The Duke relents, but he exacts an oath that Mr. Spooner will use no privilege about to be extended to him, for the destruction of the Victoria. Mr. Spooner consents; he is unbound, and the first use he makes of his hand is to open a window or to break one. He is immediately tainted with perjury, but he protests he has no wish to hurt the Victoria Regia; he rather respects it for the name it bears, but if he and it can't live together for five minutes, he must be excused for smashing the glass. We doubt not Mr. Spooner under the circumstances, would bring an action of Trover against the Duke for the check-book, and an ejectment on the title against Sir Joseph, without the smallest violation of his oath, or a suspicion that he was using any privilege, however acquired, to the destruction of the interesting, but unendurable exotic. And surely we are not to be blamed if we let in the light and air of reform, education and discussion, to search, to purify, to brighten the atmosphere of politics, although light and air may be fatal, and indeed are certain to be fatal, to particular abuses to the direct subversion of which we are restrained from applying our privileges.

No man now ventures to doubt that civilization and reform are inconsistent with the Church Establishment. No reasonable Protestant now thinks of addressing a liberal constituency without pledging himself to a substantial reform of the Establishment, and we believe there is hardly a Catholic that does not propose its abolition in a certain sense. We have stated our own views from time to time, and whatever be the value of these speculations, they must be taken in connexion with concurrent events, with the speculations of others upon which they are themselves a comment, and with the general state of opinion, as to this subject in particular. We do not care to weigh the effect of anything we have said ourselves; of anything that has been said upon our side; or of anything that has been said against us. We may overrate or underrate any of these things according to our vanity, our modesty or our prepossessions, of whatsoever kind. But in this we cannot be mistaken, whether we be praised or condemned; the Establishment is under discussion, and discussion will shake it asunder. "*Cogito ergo sum*" was the great starting point of Des Cartes. We discuss the Church Establishment, therefore it is questioned; the *Evening Packet* discusses it, therefore it is questioned; the *Northern Whig* discusses it, therefore it is questioned; the *Non-Conformist* and the *Liberator* discuss it, therefore it is questioned; the *Clerical Journal* discusses it, therefore it is questioned; all the candidates for liberal constituencies propose to deal with it, therefore it is questioned. Desiring nothing but a free and full range of opinion, we have had the benefit of it in our favour and against us. We must be wrong in some respects; our critics on the other hand are not infallible, but whatever we represent individually, the sum of our sayings and doings must be taken to represent a search into the title of the Establishment. There is evidently a nervousness amongst its adherents, and a movement amongst its adversaries that must result in something. A Dublin Journal in the obstructive interest, (to call it conservative would be too heavy a pleasantry,) has said as many naughty things of our last paper, as could with any regard to convenience be crowded into a single article. We do not allude to the circumstance by way of controversy with any portion of the press, but we notice it as evidence of the ventilation which the subject is undergoing. The *Northern Whig*, on the other hand, is half complimentary,

half severe. The same may be said of the *Liberator*, and in these latter instances we accept the praise with pleasure, and the censure with respect, as they both proceed from the sincerity and freedom of friendship. We do not pause for the present, to enquire whether, as the *Liberator* suggested, we are wrong in not proposing a specific agitation ; nor whether, as the *Whig* affirms, we are narrow and sectarian in our views, because we give ourselves out for what we are ; nor whether again we have miscalculated the available strength of Presbyterian opinion, seeing it is represented, if it indeed be represented, by a solitary member of the House of Commons ; but we take the entire as evidence that there is a pressure of opinion behind us all, Catholic, Presbyterian, Dissenter, and Episcopalian, which drives us forward, and compels us to speak and to write, upon one side or the other of the subject. For ourselves merely, we cannot say that any thing has been suggested or has occurred to alter our general views. Mr. Spooner has been defeated for the present by a trifling majority, but if the majority were decupled, and the Maynooth Grant stood as safe as the Army Estimates, the circumstance would not touch the question in the least. The idea of accepting Maynooth as a set off against the Establishment has never been entertained by Catholics, and can never have been seriously ascribed to them. It would argue a stupidity uncommon in any country, but certainly not usual in Ireland. An Irishman under excitement is more likely perhaps than others to act intemperately and rashly, but it is a task of some difficulty to outwit him in a quiet bargain, and we have never known him to take sixpence in the pound from a creditor who can give twenty shillings. Every country may at certain periods under influences less depressing than those which have affected Ireland since the year 1844, suspend the agitation of the most vital questions ; but no civilized community will deliberately ratify an engagement to entertain which would qualify an individual for St. Luke's

Mr. Sergeant Shee, whose appearance in those discussions we are quite disposed to welcome for the same reason that we bid welcome to friend or enemy who deals with the Establishment, has put forward what he calls a proposal for religious equality in Ireland, and for a charitable settlement of the Church question. We are perfectly unable to follow the

process of reasoning by which this excellent gentleman has been able to convince himself that the settlement he recommends does in fact amount to religious equality in Ireland. His plan is in outline the following:—It has been embodied in a bill which forms part of the pamphlet, embracing a provision for the security of vested interests, a graduated scale of payment for the Protestant clergy, and the redistribution of a considerable amount of Church property amongst the three principal denominations of religionists in Ireland. We omit several details, as it is with the principle only we have any concern, or are likely to have any, and it will be sufficient to state that the funds in question are to be distributed in the proportion of two-fifths to certain Roman Catholic Ecclesiastical Commissioners, two-fifths to the present Ecclesiastical Commissioners who are to be the paymasters of all, and one-fifth to the Presbyterian Ecclesiastical Commissioners. The monies coming to the hands of the Catholic Ecclesiastical Commissioners are applicable by them to the building of Churches, and decent support of worship generally, while provision is also made for securing to each Parish Priest and to his successors ten acres of glebe. A corporate character is also given to the Catholic Bishops and Parish Priests, the existence of the one being certified to the Government by the Catholic Visitors of Maynooth, and of the other by the Bishops of the respective Dioceses or Districts. The bill includes various measures of reform, which as they effect the Protestant Church mainly, we have no desire to notice, but before offering to examine the principle of Sergeant Shee's proposal we think it only right to quote his own introduction:—

I gave a silent vote during the last Session of Parliament in support of a motion "to consider the temporalities of the Irish Church, and other pecuniary provisions made by law for religious teaching and worship in Ireland."

For Mr. Miall, by whom that motion was made, I entertain sentiments of the highest respect. He is an able, liberal-minded, and sincere man. It was impossible to refuse assent to a proposal so cautiously and judiciously worded. I agree with him as to the urgent necessity of ascertaining and making known, to what extent the present distribution of Church Property in Ireland has conduced to the object which, in the opinion of Bishop Warburton and Dr. Paley, is the only justification of a Church Establishment,—the civil utility of preserving and communicating religious knowledge. But I totally differ with him as to the policy of disendowing Maynooth, of withdrawing the *Regium donum* from the Ministers of our Irish Presbyterian fellow subjects, and of subverting the present Church Establishment by the Appropriation of the Church-Revenues to Secular purposes.

For this last object of Mr. Miall's scheme, I have a clear conviction that Catholic members, however strong may be their impression of its expediency, ought not to vote so long as a solemn abjuration "of all intention to subvert the Church Establishment," and a solemn promise "not to exercise any privilege to which they are, or may become entitled, to disturb or weaken the Protestant Religion," continue to be among the conditions on which they are admitted to seats in Parliament. The faith plighted by those words has been hitherto preserved inviolate. It is free to them, as was done under the guidance of Mr. O'Connell by their predecessors, to assist the Queen's Government, the members of which are bound, as respects the Church of England, by a still more stringent pledge—in correcting the abuses and retrenching the superfluities of the Establishment. It is their duty to take care that those superfluities are not wasted by reason of the inadequacy and unsuitableness of the channels through which they are distributed, upon purposes which have no connection, or only a nominal connection with the propagation of religious truth. But they took upon themselves the office of Legislators, with knowledge that a solemn abjuration of all intention to subvert the Church Establishment would be required of them. Having made that abjuration, they are committed by it to a loyal acquiescence in the retention by the Protestant Episcopal Church, of a temporal provision adequate to secure its efficiency, and the maintenance of its Bishops and Clergy in competence and honour. What would be thought in private life of the man who having been suspected by a society into which he was desirous of admittance, of an intention inconsistent with its most cherished interests—and elected on his solemn denial of it, should avail himself of the privileges of a member to promote the intention which he had disclaimed?

If my opinion were less decided than it is, on the meaning of the Catholic Oath, and I deemed the policy recommended by Mr. Miall more hopeful than I believe it to be, I should still think our adoption of it unwise. The Church, by law established in Ireland, is the Church of a community, everywhere considerable in respect of property, rank, intelligence, and the power of avenging a disgrace on the religion of the Irish people. It is strong in the supposed identity of its interests with those of the Church of England. Nothing short of a convulsion, tearing up both establishments by the roots, could accomplish its overthrow. Nor is it by any means clear that its overthrow would benefit our religion. With the exception of the zealots who disturb the dioceses of Dublin, Ferns, Cashel, and Tuam, the "sapping and mining" of religious belief has not been thought a worthy occupation by the prelates and clergy of the Establishment. Who shall measure the effects which might be produced upon the half-informed, the irreligious, and the indigent, by the spirit of Proselytism which has of late broken loose, if universally quickened in the breasts of unendowed perverters, without standard, articles, or creed, by the lust of uncertain and indefinite gain?

The *Regium donum* is but a niggard compensation to the successors of the Scottish Presbyterian Clergymen, who were found at the Restoration in possession of the Churches and tithes of numerous

benefices in the northern province, and in the City of Dublin, and respecting whom it was provided by the Act for the Uniformity of Divine Worship.

"That from and after the 29th day of September, 1667, no person who should then be incumbent, and in possession of any parsonage, vicarage, or benefice, and who not being already in holy orders by Episcopal ordination, should not before the said 29th day of September, be ordained priest or deacon, according to the form of episcopal ordination, should have, hold, or enjoy the said parsonage, vicarage, benefice, with cure, or other ecclesiastical promotion, within the kingdom of Ireland, but should be utterly disabled and *ipso facto* deprived of the same, and all his ecclesiastical promotion should be void as if he were naturally dead." In the most Protestant province of Ireland our fellow subjects to whose spiritual needs these clergymen minister, are more numerous by 100,000 than those who are members of the Church by law established. They have no Glebes or Glebe houses,—very few of their flocks are the lucky possessors of Church leases or purchasers for a song of Church Perpetuities. Their churches are not built, rebuilt, enlarged, repaired,—nor are the graveyards around them planted and fenced, nor are bibles, prayer-books, stoves, candles, surplices, and sacramental elements, provided free of cost, to those who worship in them, by a Government board.—Excluded like their Catholic fellow-subjects from all participation in the ecclesiastical revenues of their country, they are on every ground entitled to be considered in any plan for their more equitable distribution.

The Maynooth Endowment, the relinquishment of which would be the first, and probably the only practical step in the course proposed to us by Mr. Miall, is in the judgment, as I have reason to know, of our most eminent Prelates, indispensable to the adequate supply of a succession of Bishops and Priests for the service of the Catholic Church. Originally granted by a Protestant Irish Parliament, its increase to its present amount was the well-weighed proposal of the ablest statesmen of our times, and sanctioned after long debate by a Legislature, constituted as the Legislature now is. To almost every Irish Protestant institution for charitable objects, Literary and Missionary Societies, Hospitals, Infirmaries, Schools, Colleges, Universities,—facilities of endowment by incorporation, had been conceded,—to no Catholic Institution, Church, Convent, Hospital, School, College, or University—except Maynooth. Our Catholic foundations had only just been relieved by the Irish Courts of Equity from the pressure of the English law of superstitious uses, when the administration which is now so much blamed for the augmentation of the Maynooth grant, fastened for the first time upon Irish Charitable Institutions the fetters of a Mortmain Act. Shall we play the game of our bitterest enemies, by surrendering the one great advantage which we derive from that policy of restrictions and compensations, of which Sir Robert Peel was the well-intentioned author, but of which, the good to us and to our Church was not unalloyed with evil to our independent educational establishments and religious institutions of all kinds? The Maynooth endowment is safe

enough,—safe with the English public, safe in the Cabinet, safe in the Commons, safe in the Lords,—if the Representatives of the Irish Catholic People, have the courage and disinterestedness which are required for its protection. Whether we succeed in our defence of it or not, the shackles of the Charitable Donations' and Bequests' Act are rivetted upon us for ever.

Do you then counsel us, it may be asked, to become accomplices in the wrong which afflicts a majority of the Queen's subjects in a large portion of the Irish benefices—a church supported by the State without a people—a people without a church acknowledged and cherished as a good by the Government under which they live? Far from it. But what I do ask of the Irish People, offering to them at least such earnest of my good faith as the study of a complicated question, perseverance and consistency afford,—is, that correcting the fatal habit of hot pursuit, too peremptory dictation, and too quick discouragement which is the real cause of more than half their disappointments; they familiarize the minds of those among their Protestant fellow subjects who are considerate and just, with some Catholic-born scheme of Irish Church Reform, which recommending itself by its manifest reasonableness to their consciences, may harmonize with that system of publicity and accountability which is the sure protection of all good institutions—be compatible with, and in completion of, previous legislation in our favour—with the independence secured by that legislation to our Church—with the 21 and 22 George the 3rd., c. 24, by which its Bishops and Clergy were relieved from the merciless laws of the Revolution, declared “entitled to be considered good and loyal subjects “of His Majesty, his Crown, and Government,” and to use the emphatic language of Mr. Flood, “embosomed in the body of the State,”—with the Maynooth College Endowment Act, the Easement of Burials' Act; the Catholic Emancipation Act; the Act which secured to pauper and orphan children the religion of their Catholic parents, and with that express condition, on which the immunities, privileges, and exemptions which the more important of those acts contain, were offered and accepted—the continuance of the Church Establishment as settled by law within the Realm.

It is now twenty years since a Whig Government, backed by large majorities, presented in the person of Lord Morpeth, its Irish Secretary, to the House of Commons a “Bill for the better regulation of Ecclesiastical Revenues, and the promotion of moral and religious instruction in Ireland.” Twenty years!! What a multitude of vested interests in Ecclesiastical superfluities have grown up during their course! Shall the Vice Royalty of Lord Carlisle expire to be remembered only for the profanations and blasphemies of a proselytism which, in the diocese of Ossory at least, in defiance of the remonstrances of the most attached and influential members among the Laymen of the Established Church, has roved under Episcopal patronage and special government protection about our streets and market-places, unawed even by that wholesome fear, which shields in all other civilized countries the religious convictions of the people from insolence and outrage? Shall the trust of the Irish Represent-

tation be surrendered, and restored under his influence to the supporters of a liberal Government; and no security obtained for the redress of the great wrong which frustrates the Legislative Union? Well do I remember how the People of our county crowded about the stone in their church-yards on which was placed for signature, the heartfelt expression of their regret at his resignation of the office of Irish Secretary. Shall no attempt be made to awaken the now experienced Statesman to the promises of his mature age, and to the sorrowful disappointment occasioned by his forgetfulness of them? Are the Irish Catholic Constituencies and their Representatives so "lost," as Mr. Miall says, "to all self respect" as to be content with Church matters as they now are?

I trust, I earnestly hope not. But I should infinitely prefer the apathy which Mr. Miall condemns, to an adoption of the agitation which is now proposed to us. My object in publishing the following pages is to prove to them, and to our Protestant and Presbyterian fellow-subjects, how easy it would be to secure religious contentment, and put down sectarian ascendancy in every parish of Ireland, without subverting the Church Establishment, repealing the laws of the Reformation, or compromising the religious consistency of the State.

The greatest of all the difficulties in the way of Irish Church Reform, is the doubt, an utterly groundless one, whether anything short of a total deletion of the Protestant Establishment would satisfy the Catholic Church and people. By that doubt multitudes of right-minded men in England, the supporters upon principle of Church Endowments, are deterred from helping us. "*Nusquam tuta fides*," is their lament when irritated by unmeasured language in and out of parliament, they refer to the Catholic Oath. Naturally reluctant as we also in their places should be, wholly to withdraw a light destined as they fondly hope, in its appointed time, to lead their Roman Catholic fellow countrymen from error unto truth, they are not to be confounded with the selfish few in Ireland, who look upon the sinecures and rich benefices of the Church as means of patronage and provision for their families, to be preserved at all hazards to the loyalty of the people and the peace and safety of the empire. Detesting ecclesiastical abuses as much as we do, they would cheerfully assist in any fair and honest plan for their correction. It is our duty while exposing the enormities of the existing system, to indicate by what means other than the havoc of destruction—they may be removed or mitigated. "Show us," said Sir George Grey, in one of the debates upon the Irish Church, "some well considered plan of Church Reform which we could consistently adopt, and which would be acceptable to your own prelates and people, before you call upon us to enter upon the thankless course of remedying the evils, which we, as well as you, deplore." It is impossible to deny the justice of that answer, or the wisdom of regulating our conduct on this question by it.

That my reasons for what I now suggest for consideration may be apparent to the general reader, I have appended to some of the

sections of my proposed Bill, notes, explanatory of the nature and extent of the modifications which they would effect.

I feel very confident that its provisions will recommend themselves to many sincere members of the Protestant and many sincere members of the Catholic and Presbyterian Churches.

Although, regard being had to the available amount of the Irish Ecclesiastical revenue, it would eventually be sufficiently effective as a measure of justice and reform—there would be nothing sudden, violent, or humbling in its operation. Under it the diminution of income in every Bishoprick and Benefice would be contemporaneous with promotion, increase of rank and of worldly means to a new incumbent. It preserves to the Prelates of the Protestant Church the legal precedence which is the fitting attribute of their connexion with the Ecclesiastical Establishment of the Seat of Empire. It leaves all vested interests and all episcopal and parochial incomes during the lives of those who now enjoy them, untouched. It deprives no Protestant congregation of the opportunities of Religious worship or the blessing of pastoral superintendence. It increases the incomes of the incumbents of small livings, and of the working curates. It retains the Church patronage in the hands of those by whom it is now dispensed. On terms undeniably just to all parties, it gets rid of the perpetual pother about the flea-bite of Ministers' Money. It relieves the clergy of the Established Church from the disheartening consciousness that for spiritual service to a small and rich minority they receive the whole of the Ecclesiastical Revenue of their country.

Without departing from the settled policy of the Catholic Church of Ireland, which rejects all connexion by means of pecuniary provision between its clergy and the State, it secures to every parochial minister a suitable residence, and a certain amount of visible inalienable comfort, leaving him still dependent for support on the voluntary offerings of his flock. It preserves to the Catholic Prelates—restored to the legal status for which, after two centuries of outlawry, they had for seventy years acknowledged a debt of gratitude to the House of Brunswick—that entire freedom from control, influence, or interference, which is much better than temporal dignity or State favour, and essential to the independent exercise of their authority and jurisdiction. It relieves the Catholic People from the burthen of maintaining the fabrics of the National Churches, and throws it, as in all other countries, upon, without increasing the burthens of, the land. It secures as much of religious equality in every parish as is consistent with the connexion of the Protestant Church with the State, and the repugnance of the Catholic Church to such a connexion.

I am much mistaken if any person well informed upon the subject with which it deals, can say that is not a just arbitrament between the claims of the three Religions professed in Ireland on the Irish Ecclesiastical Revenues.

It is published in the firm belief that until Protestants and Catholics are convinced of the wisdom of effecting a settlement of the Irish Church question, in a spirit of religious respect for solemn engagements—of thrifty appreciation of advantages already gained—and of

doing as respects further reforms to others as they would have done unto themselves—its adjustment on any satisfactory or equitable basis is impossible—but that if it were once commenced in a conciliatory temper, and with the approval of the Catholic Prelates and Clergy—the wounds of the Reformation, the Restoration and the Revolution would ere long be healed, the Union would become a reality, and Ireland cease to be a cause of difficulty and anxiety to the Empire.

My place in Parliament, I may be told, is the proper place to moot this question. And I agree that it is. But having made the endeavour in the Session of 1854 and failed, mainly as I believe, for lack of Catholic support, to obtain even permission to bring in a Bill,* I am satisfied that public opinion, not only as to the necessity of Ecclesiastical Reform in Ireland, but as to the character, the limits, and practical objects of that Reform, must accompany all hopeful parliamentary effort to effect it, and that until that opinion is formed and pronounced, no government can reasonably be expected to peril the success of its general policy, on what would probably be a very thankless attempt at Irish Church Legislation.

We pass by for the present the plausible, and we doubt not well considered and honestly believed arguments in the pages just quoted. Looking to the Bill itself, two considerations occur to us, and we are prompted to enquire, first;—is the measure practicable? and secondly:—would it be satisfactory? It would be difficult, we should think, in the present temper of the English mind, to induce Parliament to consent that any fund hitherto applicable to the endowment of the Established Church, should be diverted from its present use to the endowment of other churches, and more especially of our own. If it be a task

* "A Bill to alter and amend the laws relating to the temporalities of the Irish Church, and make provision for the increase and maintenance of Church accommodation for her Majesty's Subjects in Ireland." I did not propose this Bill without good advice, nor without being fully satisfied after many years attention to the question, that all attempts to induce the House of Commons to embark, without chart or compass, on the Sea of Irish Church Reform—or in any course of deviation from the Settlement of 1829, would fail as they had before done, though made by able and eloquent men, Mr. Hume, Mr. Ward, Mr. Roebuck, Mr. Bernal Osborne, Mr. Moore. I was met by daring denials from Mr. Napier of incontrovertible statistical facts. It was of little use to expose as I did, the recklessness of those denials. I had no effective Catholic support, and the government would have been less wary than governments are, if it had allowed itself to be much troubled about a matter which had slept quietly for some sessions, and about which, when presented in a practical business-like shape, nobody seemed to care. It was intimated to me afterwards that a vague but wholly unfounded impression prevailed, that the bill contained clauses to secure a pecuniary provision for the Catholic clergy.

of some difficulty to maintain the Maynooth Endowment from the general resources of the State, who would have the courage to propose a Catholic endowment out of what has always been considered a purely Protestant fund? The State might possibly consent to any other application of the fund, how remote soever from its original purposes; but we cannot realize it to ourselves that England could ever be brought to strip a Protestant corporation of any portion of its revenue in aid of Catholics and of Catholic Priests, as such. On the part of Catholics themselves, the idea, we believe, is entirely discountenanced. They would not fail to consider an endowment of this description as involving a connexion with the State, although it might not imply any actual dependence. They make no claim to the enjoyment of Church property, for Church purposes, but they certainly cannot, without deep dishonor, in any way sanction its enjoyment by the present occupants. Their acceptance of any portion would imply an acquiescence in the possession of the remainder by the Established Church, a thing which, although they may endure, it would be criminal in them to approve. Looking upon Church property to be held in Ireland by no right more sacred than the right of the highway-man, they would be answerable to conscience for compounding a felony did any consideration induce them to give a direct sanction to the retention of any, even the smallest portion, of the ancient Church Property by its actual holders? It is one thing to forbear the prosecution of their own claim, and another to admit the claim of a pretender; a claim too upon which they might rightly charge three hundred years of bloodshed, confiscation, disgrace, enforced ignorance and its attendant barbarism; a claim which has within the last twenty years been urged to keep them in ignorance still, by the obstruction of the National System of Education; a claim which, while it continues to be acknowledged, depresses the spirit, lowers the character, tarnishes the honor, distracts the councils, and deadens the energies of the nation.

But there is another feature in Sergeant Shee's proposal for religious equality strangely inconsistent with its professed object. It maintains and confirms the supremacy of the anti-national institution over the national Church, a thing, as we before observed, to which submission may be inevitable, but to which it is impossible that Catholics could give consent. We do not allude to the wretched question of precedence; we lay no claim to Lording or Gracing for our prelates; for we may

force a government to pass good laws, but we cannot force it to have good taste. We speak now of that odious supremacy which, in defiance of truth and reason, is assigned by law to the Establishment, when in its favour the very existence of our Church is affected to be denied and at most connived at. A Roman Catholic religion is to be sure acknowledged for certain purposes, but according to law, and even according to the law as it would be fixed by Sergeant Shee, there no more exists a Roman Catholic Church in Ireland than there exists an Anglican Church in France. We need hardly say that we here restrict the term Church to our system of pastoral government, which the secular government knowing to exist, and knowing to be as legitimate, as vigorous, as highly disciplined, as well organised, and as firmly established as any in the world, has the incredible stupidity, and the no less incredible insolence to treat as non-existent. To judge from the statute book no one could tell that the Catholic population of the Island lived in towns and villages, that it was occupied in steady and stay-at-home pursuits, that it consisted of noblemen, gentlemen, merchants, farmers and labourers, under the spiritual government of regular pastors with jurisdiction geographically limited. For ought that appears in the statute book the bishops might be gipsy patriarchs fixing their diocese wherever the camp-kettle should be slung for the night, and shifting it when the hen-roosts in the neighbourhood should cease to be productive. Dr. Newman has somewhere observed that Protestants reason as if they spoke from a drawing-room window and their opponents were in the channel. Certainly Sergeant Shee lifts up his voice to the sublime Establishment as if he and we with him were in the mire. He introduces into his bill the detestable jargon of "Roman Catholic Bishop of the diocese or district," and for the better understanding the geographical boundaries of the district, every mortal parish in the entire district is to be enumerated.

"The Turk that two and fifty kingdoms hath
Writes not so tedious a style as this :"

and the accession of this "Roman Catholic Archbishop or Bishop of the Roman Catholic diocese or district," is to be certified to the Government by the Roman Catholic visitors of the College of Maynooth. It is not suggested in virtue of what authority the certificate of these respectable individuals is to be the title deed of our prelates, but it is apparent that Sergeant Shee

is bent upon humouring one of the most contemptible littlenesses in the English character where so much is great, that littleness of quibbling which induced Englishmen upon a question of barren title to drench with bitterness the few and evil days of their great enemy in St. Helena, and to cover their own name with dishonor by the affectation of denying his. True it is, the learned Sergeant practises some legal sleight of hand, and sidles in with a casual recognition of some Catholic titles, just as he might endeavour to steal up illegal evidence to a jury. But surely it is not this small dexterity that can earn the respect of honest Protestants, or command the support of earnest Catholics. Why not rely upon justice, common right, plain reason, and good policy? Might he not refer to Canada, and insist upon the same measure of justice for Ireland? In Canada there is no Established Church in the odious sense, and why should there be in Ireland more than in Canada? In Canada, the status of the Catholic clergy is acknowledged without circumlocution or ordnance surveys, or enumeration of parishes. Why not in Ireland? The practice is attended with no danger or inconvenience in Canada; why should there be any in Ireland? The Canadian Catholics enjoy those rights in consequence of treaty obligations with an enemy; are the Irish to expect no favour in the character of fellow-subjects? The Canadians fought gallantly against Wolfe, and they are rewarded for their gallantry by religious equality; the Irish fought victoriously under Wolfe, and they are rewarded by inferiority. Within the last few years, a Catholic University for Canada was solemnly inaugurated by the governor, and on what principle, it may be asked, should there be one rule of conduct for Canada and another for Ireland? This would be the direct, the manly, the respectable and eventually the successful course. We hope to see it adopted, and not in a tone of supplication, any more than in a tone of bluster, but in a tone of energy, quietness, and determination.

We now return to the introductory portion of Sergeant Shee's book, and it cannot be denied that what he urges with respect to the Catholic oath and the obligations growing out of it, is entitled to grave consideration, and that the import of the oath is not to be explained away by minute criticism. Admitting, however, to the fullest extent, that the Catholic Member of Parliament binds himself in no way to disturb or

weaken the Protestant religion, or to subvert the Church Establishment, we neither can take from Sergeant Shée what logicians would call the comprehension of the term Establishment, nor can we think that any interference with its emoluments would amount to its subversion; nay we do not believe that it could be even weakened or disturbed by such.

In the first place, our inquiry may limit itself to the discovery of what really constitutes an established religion. The case of Ireland is proof demonstrative, that it need not be the religion of the people, and in one view, a religion is entitled to be regarded as established, if it be acknowledged by the law as the religion of the State. That is the one constituent idea of a Church Establishment. The State is an abstraction, and so must be its religion; but treating the State for the purposes of our inquiry as a person or a corporation, it certainly may have a religion without paying for it. The pauper who pays nothing is as good a Protestant as the peer who pays his hundreds; and if the State paid nothing it would not for that be the less Protestant if it insisted upon being called so. It is not difficult to imagine the case of a country, which for some reason or other might be unable or unwilling to give its clergy State support, and which, notwithstanding, should feel so strongly upon matters of religion as to prohibit the public exercise of any form of worship but the one. We think it cannot be doubted that the form of worship so protected would be regarded as an established religion, although unsupported by the State, and holding this opinion, we cannot but think that the duty of a Catholic Member of Parliament with reference to the subversion of the Establishment, is satisfied by his abstaining from the promotion of a formal severance between Church and State, in virtue of which the present ecclesiastical corporation called the Established Church, should be declared to be no longer the religion of the State. This we should hold to be the duty of the Catholic, even though his vote might not have the effect of diminishing the income of the Establishment by a groat; for although the case of an Establishment without State support is we believe imaginary, we have religion amply endowed in France where the law acknowledges no Established Church.

But we have also to bear in mind that we are dealing with a purely local question, and that such a thing as an Irish Church

Establishment is utterly unknown to the law. It would be as correct to speak of a Yorkshire Church, as of an Irish Church. No one pretends that a Catholic is precluded by his oath from voting for the consolidation, the division or the creation of English Sees, or that he is obliged to speculate upon the remote tendency of any measure of Church discipline that is submitted to Parliament. The Pope did not conceive that he subverted the French Church, when he consented to a re-arrangement of its ancient divisions, although it involved the suppression of numerous sees, and extinguished the rights of venerable bishops. If the present Irish Dioceses were by act of Parliament reduced to one, and that one annexed to the Diocese of Sodor and Man, with or without an augmentation of salary to the Bishop of that place, and suppose the Church Property applied in any manner the nation might think fit; so long as the style and title of the United Church should be acknowledged by law, and its discipline maintained, there would in no sense be a subversion of the Establishment. There has already been a Duke of Ireland, (Robert De Vere,) and why not a Bishop of Ireland? The Irish Protestants in communion with the Establishment, are not half as numerous as the Protestants in the Diocese of London, and no one could be heard to say that such a change, however he might deprecate it, would amount to a subversion of the Imperial Establishment.

As to the question of any disturbance or weakness in the Establishment resulting from interference with what is called Church property, Sergeant Shee would seem to insinuate that the disturbance and weakness would be all upon our own side. He says we should be inundated with unpaid proselytizers of a zeal more intemperate because more genuine than that of the common barrators we have to deal with now. We are once more at a loss for the learned gentleman's premises. We do not know that the Presbyterians, Methodists, Unitarians or Quakers are more successful even in temporary corruption than the people of the Establishment; they certainly are not so prominent. Indeed if we were to push Sergeant Shee's reasoning to its legitimate conclusion by taking for granted that the agents of proselytism are indolent in proportion to their affluence, we should subscribe to pay them still more largely, as degenerate and falling states have purchased the forbearance of invaders. But for our own part, as we have already said, we desire anything rather than the subversion of the English Establishment regarded as something distinct from that of Ireland, nor even

in the case of Ireland have we any desire to push things to an extremity. Some of our cotemporaries have considered us as speculative, but it certainly is our wish to be as practical as possible. Unlike our English friends, the voluntaries, we apply the voluntary principle, but we have not the faintest desire to analyze it or force it upon others. We make no appeal to Scripture. That *would* be speculative. In America, abolitionists and slave-holders and slave-breeders quiet their consciences with Scripture. If Catholics in this country object to a state endowment for themselves, that is a matter of policy, and they have no right to force their reluctance upon others; but they have a distinct right to their proper liberties, to a legal standing for their clergy, and to any adjustment of the burthens of the State which they can constitutionally enforce. If the State think proper to indulge in the luxury of a Church Establishment, it is an imperial concern, and the expenses should be borne by the Empire. It will not do for England to say, I support my branch of the Establishment, let Ireland support hers. Our answer is, you like your Establishment, it is your fancy, your taste, your weakness, your doll, anything you please, but we in Ireland don't want it, we don't like it, it don't serve us, it don't amuse us.

So far as Ireland is represented, whether by electors or non-electors, she repudiates an establishment for herself; but she might perhaps say, I have to some extent lost my individuality in the Empire; and the Establishment is one of the disadvantages attached to the countervailing advantages of the British connexion. The Established Church being a purely imperial institution, there is no reason why Ireland should be burthened with the exclusive support of a branch of it, and that upon a scale of the most wanton extravagance, any more than that she should pay out of her provincial purse, the regiments of the royal army that may be stationed in Ireland. We have no desire to impose our scruples or our policy upon the Protestant clergy. If they prefer state-payment let them have their preference, but let their payment be from imperial funds and upon a rational scale. We think that a plan could be suggested, which, without diminishing the funds of the Protestant church notably or almost at all, and without throwing much additional burthen upon the State, might be made to satisfy the reasonable requirements of all parties, and that without waiting for the voidance of benefices, an absolute and

final change might take place in the course of a single session. The Consolidated Fund taking upon itself the payment of the Established Clergy upon whatever scale a Church reformer might regulate, could recoupe itself out of the sale of Church lands at the full value, and with a parliamentary title—and also by compelling the landholders to redeem the tithe rent charge for a moderate composition as they have at present the option of redeeming their crown and quit rents. The sum so placed to the credit of the Imperial Exchequer would go a large way in diminishing the burthen justly thrown upon imperial resources, while every cause of complaint in Ireland might, by the removal of a few odious, although really inoperative restrictions from the Catholic clergy be totally at an end, without any approach to the subversion of the Establishment, or any state provision for the Catholic clergy. But under no circumstances can this question be allowed to sleep. The Establishment will not obtain easier terms by delay. There are those at work everywhere, Protestant and Catholic, who will not suffer it to stand. In a certain sense they are not free agents. They obey the bent and the current of the time. It is as much a matter of course for them to level religious inequalities, or to speak modern English, or wear modern costume. Civilization will of its own virtue abolish the present Establishment as effectual as it has abolished judicial astrology. Help who may, resist who will, “every valley shall be filled, and every mountain and hill shall be brought low.”

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ART. I.—ODD PHASES IN LITERATURE.

FOURTH PAPER.

Annales Typographica, Norimbergæ. 1793.

From a Dissertation annexed to Morgan's *Phœnix Britannicus* in the quarto edition of 1732, much interesting information may be gathered on the subject of Pamphlets.

The derivation of the word may be found in *Minshew's Guide to Tongues*, fol. 1627; in the Preface to *Icon Libellorum*; Skinner's *Etym. Ling. Angl.* fol. 1671; and Spelman's *Glossary*.

The term *Pamphlet*, or *little* paper book, imports no reproachful character, any more than the word *great* book; it signifies a pasquil, as little as it does a panegyric of itself; is neither good nor bad, learned nor illiterate, true nor false, serious nor jocular, of its own naked meaning or construction; but it is either of them, according as the subject makes the distinction. Thus we read in Rushworth of scurrilous and abusive pamphlets, ordered to be burned in 1647; whilst the *Encomium* of Queen Emma is called a Pamphlet, in Holinshed.

Oldys states:—As for the antiquity of pamphlets, it is not only questionable, whether the Art of Printing should set a bound to it, but even the adoption of the name itself, which yet I take to be more modern than that Art; for I look upon them as the eldest offspring of paper, and to claim the rights of primogeniture even of bound volumes, however they may be shorter-lived, and the younger brother has so much out-grown the elder; inasmuch as arguments do now, and more especially did in the minority of our erudition, not only so much more rarely require a larger compass than pamphlets will comprise; but

these being of a more ready and facile, more decent and simple form, suitable to the character of the more artless ages, they seem to have been preferred by our modest ancestry for the communication of their sentiments, before book-writing became a trade: and lucre, or vanity let in deluges of digressory learning, to swell up unwieldy folios. Thus I find, not a little to the honor of our subject, no less a person than the renowned King Alfred, collecting his sage precepts and divine sentences, with his own Royal hand, into 'quaternions of leaves stitched together;' which he would enlarge with additional quaternions, as occasion offered: yet he seemed to keep his collection so much within the limits of a pamphlet size (however bound together at last,) that he called it by the name of his hand-book, because he made it his constant companion, and had it at hand wherever he was.

"It is so difficult to recover even any of our first books or volumes, which were printed by William Caxton, though it is certain he set forth near half a hundred of them in folio, that it were a wonder if his pamphlets should not be quite lost. There are more extant of his successor Wynkin de Worde's printing in this lesser form, whereof, as great rarities, I have seen both in quarto and octavo, though holding no comparison probably with those of his also, which are destroyed.

"The civil wars of Charles I. and the Parliament party produced an innumerable quantity of these paper lanthorns, as a Wit of that time called them, which, while they illuminated the multitude, did not always escape the flames themselves.

"At this time might be mentioned the restless John Lilburn and the endless William Prynne, who wrote in earnest, for both bled in the cause. There are near a hundred pamphlets written by and concerning the first of these authors.—But, the labors of the last being unparalleled, I may here not improperly observe, that, during the forty-two years he was a writer, he published above a hundred and sixty pamphlets, besides several thick bound volumes in quarto and folio, all said to be gathered into about 40 tomes, and extant in Lincoln's Inn Library. I think the printed catalogue of his writings extends not in their whole number beyond one hundred and sixty-eight different pieces; but Anthony Wood to above one hundred and four-score; who also computes, he must needs have composed at the rate of a sheet every day, from the time that he came to man's estate.

"This particular notice of our most voluminous Pamphleteer will lead us to a general review of the numerous produce of the press, during that turbulent series aforesaid, wherein he was such a fruitful instrument, to impregnate the same and promote the superfecundation thereof. For by the grand collection of Pamphlets, which was made by Tomlinson the bookseller, from the latter end of the year 1640 to the beginning of 1660, it appears there were published in that space near thirty thousand several tracts: and that these were not the complete issue of that period, there is good presumption, and I believe, proofs in being: notwithstanding, it is enriched with near a hundred manuscripts, which nobody then (being written on the side of Royalists) would venture to put in print; the whole, however, for it is yet undispersed, is progressionally and uniformly bound, in upwards of two thousand volumes, of all sizes. The catalogue, which was taken by Marmaduke Foster, the auctioneer, consists of twelve volumes in folio; wherein every piece has such a punctual register and reference, that the smallest even of a single leaf, may be readily repaired to thereby. They were collected, no doubt, with great assiduity and expense, and not preserved, in those troublesome times, without greater danger and difficulty; the books being often shifted from place to place out of the Army's reach. And so scarce were many of these tracts, even at their first publication, that King Charles I. is reported to have given ten pounds for only reading one of them over, which he could no where else procure, at the owner's house in St. Paul's Church-yard.

"By the munificence of his Majesty Geo. III. the British Museum was some years since enriched with this most valuable collection of 30,000 tracts, bound in 2000 volumes; 100, chiefly on the King's side, were printed but never published, the whole was intended for Charles the First's use, carried about England as the Parliament-army marched, kept in the collectors warehouses disguised as tables covered with canvas, and lodged last at Oxford under the care of Dr. Barlow till he was made Bishop of Lincoln. They were offered to the Library at Oxford, and at length bought for Charles II. by his stationer Samuel Mearne, whose widow afterwards was obliged to dispose of them by leave of the King, 1684; but it is believed, they continued unsold till his present Majesty bought them, of Mearne's representatives. In a printed paper it is said the collector refused £4,000 for them.

“Out of this immense collection Rushworth furnished himself with authorities; and, if the spirit of party was not so prevalent among them, we might still look them over with profit, but they are too much spoiled by the canting divinity of the times, which suits not the present age. Yet we have not been totally wanting in taste for these ephemeral productions, or of purchasers at an extravagant price, as Lord Somers, who gave more than £500 for Tom Britton the smallcoal man’s collection in this way; and Anthony Collins, whose collection afterwards produced above £1800; encouragement sufficient to induce other collectors to gather what the squalls of fate and chance may throw up.”

Dr. Francis Bernard, who was physician to King James II., was a man of learning and well versed in literary history. He had the best private collection of scarce and curious books that had been seen in England, and was a good judge of their value. He died Feb. 9, 1697, in his 70th year. The Catalogue of his books, which were sold by auction, is dated in 1698. The amount of this Auction (after deducting 4s. in the pound, which were the expenses of the sale) was £1600, a large sum in that time, when the passion for rare books was much more moderate than it is at present.

Pamphlets have been the terror of oppression. Thus Philip the Second’s wicked employment, treacherous desertion, and barbarous persecution of his secretary Antonio Perez, upbraids him out of that Author’s *Librillo*, through all Europe, to this day. Mary Queen of Scots has not yet got clear of *Buchanan’s Detection*. Robert Earl of Leicester cannot shake off *Father Parson’s Green-coat*—George Duke of Buckingham will not speedily outstrip Dr. Eglisbam’s *Fore-runner of Revenge*. Nor was Oliver Cromwell far from *killing* himself, at the pamphlet which argued it to be *no Murder*, lest it should persuade others to think so, and he perish by ignobler hands than his own.

Oldys goes into a mass of arguments and valuable information, but we shall close with one of his arguments in favor of carefully *preserving* pamphlets:—“They stand in greater need of such care, than writings better secured by their bulk and bindings do. Many good old family books are descended to us, whose backs and sides our careful grand-sires buffed and bossed and boarded against the teeth of time, or more devouring ignorance, and whose leaves they guarded with brass, nay

silver clasps, against the assaults of worm and weather. But these defenceless conduits of advertisement are so much more obnoxious, by reason of their nakedness and debility, to all destructive casualties, that it is more rare and difficult for want of a proper asylum, to meet with some tracts which have not been printed ten years, than with many books which are now more than ten times their age."

Several scarce tracts have been reprinted and their ideal value of course lessened, scarce tracts have at all periods brought great prices, until reprinted. At the Auction of the Books of Mr. Charles Bernard, Sergeant Surgeon to Queen Anne, small tracts brought from 3 and 4 Guineas to £30.

The *Spaccio della Besta Triomfante*, by Jordano Bruno, an Italian atheist, is said in the Spectator, No. 389, to have sold for £30. But, by a priced Catalogue of this sale once in Mr. Bindley's possession, it appears, that the price actually given for it was twenty-eight; it was bought by Walter Clavel, Esq. The same copy became successively the property of John Nichols, of Joseph Ames, of Sir Peter Thompson, and of C. Tutet, Esq., among whose books it was sold by auction at Mr. Gerard's in Litchfield-street. A catalogue of Charles Bernard, 1676, is in the Sloane collection, No. 1770; and a letter says he was not himself witty; but he was at least the cause of wit in others.

"I went to-day," says Swift in his Journal to Stella, March 19, "to see poor Charles Bernard's books; and I itch to lay out nine or ten pounds, for some fine editions of fine authors." And on the 29th he adds, "I walked to-day into the City, and went to see the auction of poor Charles Bernard's books. They were in the middle of the Physic books, so I bought none; and they are so dear, I believe I shall buy none."

During the first French Revolution, we may consider that the epoch of Pamphlets and Caricatures was at its height. Such in fact was the state of public fermentation and excitement that the journals, no matter how numerous, were insufficient to assuage the morbid curiosity of the people, and their avidity for controversy either social or political. The pamphlet had moreover the contemptible privilege of being published under the seal of secrecy, a privilege to which the periodical journals could not well lay claim.

It is in this category of clandestine pamphlets that we shall be able to place the atrocious libels directed in such vast and

disreputable numbers against the unfortunate Marie Antoinette. They were: *L'Autrichienne en goguette, ou l'orgie Royale*, (1789). In these dialogues, composed by some scoundrel of the lowest caste,* and accompanied by engravings worthy of the subject; the queen, the count d'Artois, and Madame de Polignac, are represented as abandoning themselves to the most wicked licentiousness;—*La Messaline Française* (1790) a libel against the Queen, the Duchess of Polignac, and the Princess d'Hémin;—*La Confession de Mme de Polignac, Essai historique sur la vie de Marie Antoinette* (Versailles) chez la Montansier, hôtel des Courtisanes, 1789). It would be impossible to give even a faint idea of the unheard-of licence of these pamphlets, in the greater number of which the unfortunate affair of the Necklace is revived and shamefully distorted, prefixing it as a text to the most ignoble calumnies. In one of these libels, which had for a title, *Les Prophéties Françaises*, the young Dauphin is called *l'aimable enfant de Bacchus et de Messaline*. These writings, before which the soul revolted in disgust, were, notwithstanding their obscenity, sought after with avidity to the first days of the Revolution of 1789. A year afterwards, there was sold a little less publicly in Paris, *Le Bordel National sous les auspices de la Reine*. In 1791, we met amongst the pamphlets, *Le Branle des Capucins, ou le mille et unième tour de Marie Antoinette, opéra aristocratique comico risible* (à Saint Cloud de l'Imprimerie des Clairvoants; cul-de-sac des Recherches.)

Several other revolutionary pamphlets were worthy to figure beside those we have named. Amongst them were *Le Parc aux Cerfs, ou l'origine de l'affreux déficit par un Zélé patriote* (Paris, on the ruins of the Bastille): *L'audience des enfers dialogue entre M. M. de Launay de Flesselles, de Sauvigny, et Foulon* (1789); † *La grande trahison découverte du comte de Mirabeau*, 1790.

* They were attributed to a comedian named Mayeur.

† In 1790, at the fair of Saint Germain, some mountebanks parodied the murders of these victims of the 14th of July; they placed a bloody heart at the end of a sabre, and sung:—

Non, il n'est point de fête,
Quand le cœur n'en est pas.

All the pamphlets published at this time prove most clearly that atrocious as the cruelties perpetrated during the Reign of Terror were, they in a very few cases exceeded the atrocities to which the public mind was excited by the enemies of Royalty. The harrowing descriptions presented to us by Lamartine, by Carlyle, and indeed by all who have written of the Reign of Terror, are but mere matter-of-fact recitals, records of what really took place, nothing invented—nothing too highly colored.

A great number of pamphlets were directed against Christianity. One of these, *Le catechisme du genre humain*, published in 1789, was a catechism of atheism, and was openly sold, at the same period that the government arraigned before the tribunals the anti-revolutionary mandates of several bishops. During these discussions on the civil polity of the clergy the government distributed, and caused to be read in a loud voice in the public ways, writings devoting priests who opposed the Revolutionary Government to the fury and vengeance of the populace.

"They distributed these writings (said the Marquis de Ferrieres, in his *Memoirs*, vol. II. p. 210) to men possessing loud and sonorous voices, and a talent for declamation proportionate to the grossness of the auditory for whom they were destined. The greater number of these works were in dialogues. The clergy were painted there in the most odious colors, to draw on them the contempt of the people; their riches, their luxury, their ambition, were shown forth; the pourtrayal of these vices rendered them the objects of the most violent abuse; all these intermingled with some stories of the most obscene nature against monks and religious women and even bishops, all suited to divert the auditory. The two interlocutors, mounted on a species of trestle, attacked each other reciprocally, animating their recitals with comic gestures. We can easily conceive how beastly those were who played the part of the advocate of the clergy, and how easy was the triumph of the adversary while combatting the weak arguments adduced in favor of the priests, causing all the merriment at his side."

From 1790, they affixed placards bearing in large letters these words, *Vingt-cinq millions à gagner*. This was the number of the civil list. In July, 1791, after the flight to Varennes, they cried in the streets *La déclaration du ci-devant Roi et de la ci-devant Reine*, and had songs publicly sung against Marie Antoinette. In 1792, finally, libels were spread in all quarters inciting with impunity the overthrow of the kingdom, and the murder of the King. These atrocities were read openly and in a loud voice in the public thoroughfares, on the squares, in the gardens, and even at the Tuilleries. An orator mounted on a chair, and turned towards the crowd who pressed eagerly forward to hear him, declaimed to his auditory, and improvised the most vehement diatribes. The following is a passage from a pamphlet entitled *La Chute de l'idole des*

Français, and supplied by a witness whose testimony it would be impossible to suspect,* and who heard it read in a high tone in the Tuilleries under the windows of Louis XVI., during one of the first days of June, 1792.

"This monster" (it was to the King he alluded) "employed his power and his treasures in opposing the regeneration of the French people. A modern Charles IX., he wished to bring death and desolation into France. Go, savage; thy crimes must have a limit. Damiens was less culpable than thou, and he was punished with the most horrible tortures for having the wish to free France from a monster. And thou, whose enormities are twenty-five million of times greater, thou art permitted to pass with impunity. But tremble tyrants; your doom is not far off." The orator then read a description of all the Kings of France; and coming to Louis XVI., thus concluded:—"Shall we sleep for evermore the sleep of the dead? Shall we crawl for ever at the feet of tyrants? Since the successor of so many tyrants has broken all the bonds that attached him to us, let us trample under our feet this spectre of royalty." Some days after this, on the 20th of June, the Tuilleries was invaded by the people.

Whilst the lists were open, that is to say until the 10th of August, the royalists replied to the revolutionary fire of the pamphlets by violent attacks. A momentary reaction in favor of the King was manifested at the time of the revolt of the 5th and 6th of October, and the royalist party hurled against the Duke of Orleans and Mirabeau, to whom they attributed the disorders of these days, a pamphlet entitled *Domine salvum fac regem*, which owed to its violence a celebrity not merited by the talent of the pamphleteer. Then followed immediately in succession, *Ouvrez donc les yeux*;—*L'Adresse aux Provinces*;—*La vie privée et politique de Blondinet la Fayette, général des Bleuets*, one of the fifty pamphlets of the time on this General of one idea, who owed to a concurrence of fortuitous circumstances the chance of becoming a celebrity, and playing a part in history, though possessed of narrow genius and short-sighted ability. *La Passion de Louis XVI.*: this was the description of the return from Varennes; *Le comte rendu de la prétendue Assemblée Nationale*;—*Les plus courtes folies sont les meilleures*.

* See the *Moniteur*, du 13th June, 1792.

A vast number of these pamphlets were printed at the expense of the Civil List. Amongst those which they published were: *Louis XVI. dans son Cabinet*;—*Les Dialogues des Halles*;—*Les motions du Palais-Royal*; *Læil s'ouvre gare la bombe!*—*Sous un roi, nous avons du pain*;—*Grand motion des halles*;—*Ah! vous ne voulez pas rendre vos comptes*;—*Rendez vos comptes, et f..... le camp*. These latter pamphlets applied to the Constituted Assembly, which terminated at that time its labors, and gave place to the Legislative Assembly. It was rather strange to see royalty promoting with all its power the dissolution of this assembly at the very moment when a considerable section of the left side rallied in the cause of order, and devoted themselves, under the guidance of Barnave, to sustain the monarchy, promoting at great expense the reunion of the Legislative Assembly, which finally caused the imprisonment of the King and the destruction of Royalty.

Amongst the royalist writings which fomented the trial of Louis XVI., we may name *Olympe de Gouges, défenseur officieux de Louis XVI. au président de la Convention Nationale*. It was this same Olympe de Gouges who obtained by his revolutionary enthusiasm a sort of celebrity, and whom another pamphlet, *Les Trois Urnes, ou le salut de la patrie*, conducted soon to the scaffold. Then we have *L'Avis à la Convention sur le procès de Louis XVI.* Montjoie;—*La Pétition de grâce et de clémence pour Louis XVI.* by Marignié. It is but right that we should not forget the romance of Henriet: *Oh! mon peuple que t'ai-je fait?* Nor the "tragédie-apothéose" on the death of the King, published February, 1793, by Aignan, the courage of which may be lauded notwithstanding its want of talent. Amongst the anonymous pamphlets on the same subject, we may note the following:—*Un vertueux Français à la Convention Nationale*. They had the temerity even to praise in it the Garde du Corps of Paris, and justify the death of Lepelletier;—*La Proclamation du Roi à ses sujets révoltés*;—*le Plaidoyer pour Louis XVI. par Le citoyen J. J. Liberté*; *Agonie et mort héroïque de Louis XVI., par vérité, chez Cromwell, au Palais Egalité*. A bookseller named Laurent was arraigned before the revolutionary tribunal, in the first days of June, 1793, for having sold some of these writings; but had the good fortune to be acquitted. The 22nd of April, 1793, they announced publicly in the Journals *Un Mémoire justificatif pour Louis XVI.*

The terrible law enforced by Danton was not yet administered. But we must not, however, suppose that even before the law of the 21st of September there were not numerous victims amongst the royalist writers and booksellers. The printer Froullé who had printed *La Relation des vingt-quatre heures d'angoisse qui ont précédé la mort de Louis XVI.*, was condemned to death and executed. The bookseller, Webert, for having sold *L'appel à la postérité sur le jugement du Roi*, by the Benedictine Gallais, met a similar fate, and maintained a generous silence regarding the name of the author whom they required him to betray. We will mention one more: *Le Martyre de Marie Antoinette*, a tragedy; *Le Dialogue entre un maire, un curé et un bourgeois*, (printed by the friends of truth for the enlightenment of the abused people, treating of the dethronement of the King, and the destruction of the monarchy, second year of disorder and anarchy.) The Royalists thus spread amongst the people pamphlets and manuscripts which all the activity or vigilance of the revolutionary police could not foresee or prevent. A decree of the 6th of March, 1794, commanded public accusation before the revolutionary tribunal:—

"That information should be given against the authors and distributors of libellous manuscripts distributed in the markets and public ways, which are an outrage to the dignity of the people, and to the national representatives."

We will not here dwell on the revolutionary pamphlets during the Reign of Terror. Indeed it is unnecessary, as any reader interested in the subject can consult, on this point, the Catalogue Pixérécourt; it is worth consulting, for on this point a catalogue is almost a history.

"Beside the revolutionary horrors and turpitude were placed," says Nodier, "the facetious and the burlesque. The Vaudeville was wrapped up with the bonnet rouge, and the rattle of folly was mingled with the noise of the guillotine. Their poetry and songs were furious, licentious, grotesque, shameless. Their gaieties had the odour of blood."*

As for the pamphlets under the Directory and the vicissitudes of license and slavery through which the Press had to pass, we may form some idea from the fact, that the restrictions bearing on the liberty of the press were

* Preface to the Catalogue Pixérécourt, by Ch. Nodier.

not an innovation of the consular government, but the simple continuation of the directorial regulations. A little book forgotten at the present day, *Les Mémoires de Candide*, by Delisle de Salles, put in relief in a very piquant manner the condition of the press under the Directory. The author supposes a new Candide enamoured with French liberty of which he had heard wonders; smitten with the word Republic, and the noble maxims engraven in the constitution, he arrives in France, and repairs to the Palace of the Luxembourg, where he is presented to General Moulins, one of the five Directors of the Republic.

"You may publish all you behold in France," said the general to him, "provided you do not conspire against the Government. The press is free here; none but slaves to monarchy fear publicity and scrutiny."

Candide retired delighted; he had at length found this land of liberty in which he desired to live, and, as he had a work in his portfolio which did not conspire against the Government, he hastened with it to the publisher.

"What! a few philosophical remarks on natural rights, morality, the first principles of justice? take your book, Monsieur Candide; it would cause my press to be seized," cried the typographer. "But I cannot see the reason of your remark," says Candide; "have I written aught but truth?" "What kind of truth?" replied the printer. "Is it the truth which is the order of the day? the truth which the Government permits to be propagated?" "Have you two kinds of truth here?" cried the artless disciple of Pangloss. "Yes! undoubtedly, Citizen Candide, if I printed your book it would conduct me straight to ruin, and you to Sinnamari."

The picture is without doubt a little overdrawn, and we must make some allowance for the exaggeration of satire, but at bottom it is true; and it proves, as appears to us, that the press was not much more free after the 18 Fructidor than it was after the 18 Brumaire.

CARICATURES DURING THE REVOLUTION.—The motives which have induced us to write of the pamphlets authorizes us, we conceive, to devote a few pages to the caricatures of the same period. We there discover the same passions, the same hatreds, the same exaggerations. The mind which guided the pen directed also the pencil, it was the form merely of the satire that was changed. The first caricatures which we have before

us date from 1789, and represent the early days of the reunion of the Constituents. Here, you see the Bishop of Autun reunited to the minister Rabaut Saint Etienne and to the Jansenist Camus for the purpose of betraying Religion, and delivering themselves hand and foot to Philosophy. Next may be seen a design traced in a totally different spirit : *Le convoi du très haut et très puissant Seigneur des Abus, mort en la nuit du 4 mai, 1789*. The "abus" of the clergy was designed by a mitre placed on a pall, the "abus" of the nobility by the sword, and that of the cavillers or pettifoggers by the lawyer's square cap ; all surmounted by an iron crown. M. Necker, whom popular favor surrounded for some days longer, led the mourners and conducted the "abus" to the tomb. This design expressed the ardent and earnest hope of the first days, when they were still ignorant that *le Seigneur des Abus* is immortal.

In another series of caricatures, we behold men assisting at the taking of the Bastille, carrying bloody heads at the end of their pikes, with this motto approving of the murders of Bertier de Launay, Foulon, Flesselles, &c. *c'est ainsi qu'on se venge des traîtres*. Another design is entitled, *le calculateur patriote* ; it represented a man reckoning six heads placed on his desk, with those words : *qui devingt ôte six, reste quatorze*, signifying that there remained still fourteen victims to be sacrificed in order to appease the popular vengeance. Another caricature had for a title, *le Patronillotisme chassant le patriotisme du Palais Royal*.

The picture may be thus described—The soldiers, a bandage over their eyes, groping in the dark, the bayonet in advance ; they had on their heads a species of monster cap or mitre embroidered all over with ribbons and crosses. One of the chiefs held a naked sword to the breast of a citizen on whose face is the impress of melancholy, and who bears in his hand a book on which is written *Constitution, Liberté*.

The caricatures on Louis the XVI. were innumerable. One represented him chained in a cage, at the bottom of which was written *je sanctionne librement*. The entire history of the constitutional veto is in this design, which evinces at the same time genius and historical truth. Here we have the monarch kept within sight of his palace by la Fayette's guards ; here the same king whom the constituents of 1791 had placed in their constitution, as one of those useless images whose hour had flitted by, and whom they tore down on the next day.

In another of these engravings, where the ignorance only

equalled the atrocity, we behold the family of Louis XVI. reunited at a banquet, and drinking a glass full of the blood of a slaughtered citizen. Then, and a worthy companion, we have the flight to Varennes represented under this title, *la Famille des cochons ramenée dans l'étable*. In another design France is represented by a crowd at the base of the bust of Louis XVI. which they have come to overthrow with massive clubs. Louis XVI. still reigned whilst all these designs were hawked about and sold almost publicly. Nor have we been able to discover that any newspaper was seized or prosecuted relative to these most revolting caricatures.

The anti-Catholic caricatures were also very numerous; they increased, however, considerably when the refusal to take the oath of allegiance to the civil constitution had augmented the hatred of the revolutionists against the clergy. "There might be seen," relates Ferrières (t. II. p. 210) "prelates represented in the most ludicrous manner, clothed in all the symbols of their dignity, with enormous stomachs, and some peasants obliging them to disgorge sacks of louis; abbés were also shown forth in the most absurd and ridiculous guise. These caricatures, exposed in profusion on the quays, the boulevards, the public promenades, where exhibited to catch the eyes of the people, presenting in every form priests under the vilest aspects, in order that they might lose the esteem and confidence of the nation."

Amongst the Royalist caricatures, one represented Louis XVI. seated in an arm chair on an eminence, whence he contemplated murders, conflagrations, and outrages of every kind. The victims of these atrocities held forth their arms to the king demanding protection, whilst others, ghastly, meagre and in tatters, cast themselves at his feet demanding work and bread. A monster daubed with ink and blood passed a chain round the hands of the King, who addressed these words to the unfortunates who encompassed him—

"My friends, you perceive that my hands are tied; I am therefore unable to succour you."

Another caricature made allusion to the report in which the constituent Chabroud had justified the Duke of Orleans for having been the instigator of the events of the fifth and sixth of October. Chabroud holds in one hand some soap, and in the other a sponge. He is endeavoring to wash the Duke's face, who is seated in the midst of a number of pikes on the

ends of which are bloody heads. We read below : *j'use tout mon sang, et ne peux vous blanchir ; les taches ressortent à mesure.* In a third design no less characteristic, we see the throne of France on which is a bust of Louis XVI. encircled by princes of the blood, who defend it against the attempts made by the Duke of Orleans to seize it; he is escorted by brigands armed with pikes. France is represented by a woman thrown down and crushed under the ruins of the throne, whilst Necker, Madame de Stael, and some other constituents, grouped in a corner of the tableau, smiling at the sight of this disaster are saying ; *Nous aurons deux chambres.* The Prince de Conti in another corner is in a profound sleep. Another print of the commencement of 1792 is entitled *le Déluge de la Nation.* The legend underneath indicates the subject : *L'air se radoucissant, la statue de la Liberté se fond sous l'influence du soleil royal et de ses rayons, au grand désespoir des jacobins.* This royalist party, with its hopes so frequently frustrated, reminded us of the personage in the romance who swallowed every morning a chimera for his breakfast. The foolish vapouring of his party never exhibited itself more manifestly than by the declaration of war in 1792. We have had already experience of this by its journals, to which its prints bear equal testimony. One of these represents the assembly of the jacobins, where they announce the declaration of war. Amongst the assembled are Broglie, Brissot, Marat, Saint Huruge, d'Orléans, Chartres, Chabot, Condorcet, Carra, Pétion, Madame de Stael, and the famous Théroigne de Méricourt, making use of a copy of the constitution to render a signal service to Matthieu de Montmorency. When the war had commenced, a great number of the royalist designs celebrated the first victories of the enemy. One of these designs, divided into two parts, represented, on one side the volunteers going to the army, singing, *nous allons à la guerre ; ça ira, ça ira*; and on the other side, the return of the volunteers, some with wooden legs, others without heads or arms, and singing ; *Nous venons de la guerre, Mironton, Mironton, Mirontaine ; nous venons de la guerre ; et ça n'a pas été.* These sympathies for a stranger, which they did not even take the trouble to disguise, drew on the Royalists the most odious opinions from all quarters.*

* A few lines on the English Caricatures, published at the period of the Revolution would not be out of place here. The sentiment which visibly prevailed was satisfaction at seeing a kingdom humbled which had in

NEWSPAPERS are described thus in the Harleian MSS. :—

"In the days of King Henry VIII. we had none that ever I could see, that is to say, in single sheets, except some invectives against the Pope and the Church of Rome. It is true there were several tracts wrote against Cardinal Wolsey; but they were in books in octavo; and several others relating to several matters, as about the Sacrament, against Gardiner, Bishop Bonner, &c. : but these might rather be called libels than pamphlets. These were most printed beyond the Seas. Only one I remember, which was 'The supplication of Beggars,' wrote against the Friars Begging, by one Fish.

"But in the days of Queen Mary they began to fly about in the City of London; as several Ballads and other Songs and Poems, as a Ballad of the Queen's being with child.

"And these, I say, were the forerunners of the Newspapers. In the days of Queen Elizabeth we had several Papers printed relating to the affairs in France, Spain, and Holland, about the time of the Civil Wars in France. And these were, for the most part, translations from the Dutch and French. And were Books, or Pamphlets rather, which, I take, if I mistake not, the word signifieth to be held in the hands and quickly read.

"We must come down to the reign of King James the I. and that towards the latter end, when News began to be in fashion, and then if I mistake not, began the use of Mercury women; and they it was that dispersed them to the Hawker which word hath another signification. Look more in the Bellman of London.

"These Mercuries and Hawkers their business at first was to disperse Proclamations, Orders of Council, and Acts of Parliament, &c. And we may see the humours of the times out of Ben Jonson's Plays. At that time, News was become

so great a degree contributed to the recent emancipation of the American Colonies. Some of these caricatures bore the impress of a spirit tinged with the most ferocious hatred, which had not for its excuse, like France, the violence of political strife. One of those represented the arrest of Louis XVI. at Varennes, and was so base and ungenerous as to render it impossible of description. Several depicted Louis XVI. under the aspect of a coarse and stupid glutton. In others, emigration is insulted. One of these caricatures against the emigrants is entitled, *la France se purgeant petit à petit; le premier baron fuyard passe le détroit*. The assassination of General Dillon was also the subject of several designs. These cold-blooded hatreds and this sanguinary pleasantry sicken the heart. See also Wright's *England under the House of Hanover*, 2 vols, Bentley, 1849.

a great fashion, as may be discerned in that play, by him wrote, entitled, 'The Staple of News,' and the scene settled at the West end of St. Paul's; and wrote 1625.

'*Peni-boy, Cymbal, Pitton Tho. Barber, Canter.*

In troth they are dainty room; what place is this?

Cymbal. This is the outer room, where my clerks sit,
And keep their sides, the Register i' the midst;

The Examiner, he sits private there, within;

And here I have my several rowls and fyles

Of News by the alphabet, and all put up

Under their heads *P. jun.* But those too subdivided?

Cymb. Into Authentically, and Apocryphall:

Pitton. Or News of doubtful credit; as Barbers' News.

Cymb. And Taylors' News, Porters,' and Watermen's
News.'

Ben Jonson here refers to Barbers,' Taylors,' and Smiths' News, for which they appear to have been celebrated at that period, and some of the CRAFT are great Newsmongers in the present day."

Jonson continues his happy description, throughout the above Drama, but not so happily as Shakspeare in his *King John*, where he has with such effect blended the three artificers.

"I saw a smith stand with his hammer, thus,
The whilst his iron did on the anvil cool,
With open mouth swallowing a tailor's news;
Who, with his shears and measure in his hand,
Standing on slippers (which his nimble haste
Had falsely thrust upon contrary feet,)
Told of a many thousand warlike French,
That were embattled and rank'd in Kent;
Another lean unwash'd artificer
Cuts off his tale, and talks of Arthur's death.'

We have now a very curious List of Newspapers, Magazines, and Reviews for nearly two Centuries (*from 1611 to 1804*), to which Nichols adds at least 200 more in the eighth volume of his *Anecdotes*. We find some omissions in the HARLEIAN MS., and also in Mr. Nichols's account, but they are altogether so extensive in number as to occupy too much room for our present paper. We shall, therefore, select and confine ourselves to the most interesting details, and notes respecting them, stating at what period the first *News*, and other Papers, were issued from each Country:—

The English Mercuries appeared in	...	...	1588
The Mercurie Gallo Belgici,	...	...	1594
News from Spain, 12 pages, 4to.	...	...	1611
News out of Germany,	...	...	1612
Good News from Florence,	...	...	1614
News from Italy,	...	...	1618
News from Poland,	...	...	1621
The German Intelligencer,	...	...	1630
The Swedish Intelligencer,	...	...	1631
Warranted Tidings from Ireland,	...	...	1641
Ireland's True Diurnal,	...	...	1641
A Speedy Post, or More News from Hull,	...	...	1642
Mercuries Aulicus; or News from Oxford,	...	...	1642
The Scotch Intelligencer; or the Weekly News from	}		1643
Scotland and the Court,		...	
The Welch Mercury,		...	
Mercuries Hibernicus, Printed at Bristol,	...	...	1644

Thus we have given a selection of the first Paper from each country, from their origin, to the middle of the 17th Century.

The latter will serve to show the progress of the Periodical Press to the middle of the 17th Century, as the commencement of promulgating News in different parts of the Globe. But there were no less than Two-hundred and thirty different Papers published up to that time, and upwards of One thousand more up to the close of the 18th Century. Many notes and observations, upon those of the olden time, claim attention, and will be found interesting.

In a note to *The Reader* Ben Jonson speaks of the Times News as a weekly cheat to draw money, which "could not be fitter reprehended, than in raising this ridiculous office of the Staple, wherein the Age may see her own folly, or hunger and thirst after published Pamphlets of News, set out every Saturday, but made all at home, and no syllable of truth in them; than which there cannot be a greater disease in nature, or a fouler scorn put upon the time."

Gallo-Belgicus (a copy of which is now amongst the King's collection in the British Museum) is *not* a newspaper; but may with greater propriety be called *The Annual Register of the Times, or The State of Europe*. It was originally compiled by M. Jansen, a Frisian, and was not printed until the year 1598, ten years after *The Mercurie*, although it dates the commencement of its accounts from the same period. It is written in Latin, and was printed in octavo at Cologne, and ornamented with a woodcut of Mercury standing on a Globe with his usual attributes. Thus, even if *Gallo Belgicus* could

be correctly termed a newspaper which it *cannot*, *The English Mercurie* would claim precedence by the space of ten years; and Holland must consequently yield the credit of originality to Great Britain.

Of the *Mercurius Britannicus*, published in 1643, Chalmers says that "Marchmont Needham, the versatile author of this paper, was born in 1620, and educated at Oxford. He assumed all colours of the chameleon during those contentious times; and, being discharged from writing public intelligence by the Council of State in March, 1660, was allowed to live at the Restoration"; till at length, says Anthony Wood, "this most seditious, mutable, and reviling Author died suddenly, in Devereux Court, in November, 1678."

Of the *Impartial Intelligencer*, published in 1648, Chalmers writes:—

"In No. 7 of this paper is the first regular *Advertisement* which we have met with. It is from a gentleman of Candish in Suffolk, from whom two Horses had been stolen."

Of the *Mercurius Caledonius*, comprising the affairs in agitation in Scotland, Chalmers says,

"This paper, which was published once a week by a Society of Stationers at Edinburgh, is the earliest that occurs of *Scotch Manufacture*; each army, before that period, having carried with them an English printer. Thus Robert Barker printed at Newcastle for King Charles in 1639; and Christopher Higgins, under the auspices of Cromwell, reprinted at Leith, the London *Diurnal of some Passages and Affairs* in 1652, for the information of the English soldiers; and in 1653 the *Mercurius Politicus*; which in 1654 was transferred to Edinburgh, where it continued to be published till April 11, 1660"; and was then reprinted under the name of *Mercurius Publicus*.

"The *Caledonian Mercury* was compiled by a son of the Bishop of Orkney, Thomas Sydserfe; who now thought he had the wit to amuse, the knowledge to instruct, and the address to captivate the lovers of News in Scotland. But he was only able, with all his powers, to extend his publication to ten numbers, which were very loyal, very illiterate, and very affected."

The Intelligencer, edited by ROGER L'ESTRANGE, Esq.

"In August, 1663, Roger L'Estrange, (after more than twenty years spent in serving the Royal cause, near six of them in gaols, and almost four under sentence of death in Newgate.)

had interest sufficient to obtain an appointment to a new created office, under the title of "Surveyor of the Imprimery and Printing Presses;" together with "the sole licensing of all ballads, charts, printed portraitures, printed pictures, books, and papers; except books concerning common law, affairs of state, heraldry, titles of honors and arms, the office of Earl Marshal, books of divinity, physick, philosophy, arts and sciences, and such as are granted to his Majesty's peculiar printer; and except such books as by a late act of parliament are otherwise appointed to be licensed." He had also a grant of "all the sole privilege of writing, printing, and publishing, all Narratives, Advertisements, Mercuries, Intelligencers, Diurnals, and other books of public intelligence; and printing all Ballads, Plays, Maps, Charts, Portraitures, and Pictures, not previously printed; and all Briefs for Collections, Playbills, Quacksalvers' Bills, Custom and Excise Bills, Post-office Bills, Creditors Bills, and Tickets in England and Wales; with power to search for and seize unlicensed and treasonable, schismatical and scandalous books and papers. See also *Bagford's Collections*, in *Harl. MSS.* 5900, vol. 2.

The Kingdom's Intelligencer of the affairs in agitation in England, Ireland, and Scotland contains many regular Advertisements of Books, and the following, which Mr. Nichols thought worth transcribing: (1663)

"There is stolen abroad a most false and imperfect copy of a poem, called *Hudibras* without name of either printer or bookseller, as fit for so lame and spurious an impression. The true and perfect edition, printed by the Author's original, is sold by Richard Marriott, under St. Dunstan's Church in Fleet-street; that other nameless impression is a cheat, and will but abuse the Buyer as well as the Author, whose poem deserves to have fallen into better hands." A kind of Obituary found also a place in this paper; with some account of the Proceedings of Parliament, and in the Court of Claims; a list of the Judges Circuits, the Sheriffs, the Lent Preachers, &c. &c. And in No. 8, February 23rd, notice is given that The "Faculties office for granting Licenses (by Act of Parliament) to eat Flesh in any part of England, is still kept at St. Paul's Chain, near St. Paul's Church yard."

At this period Newspapers were published at 2d. each.

L'ESTRANGE's paper was superseded by *The London Gazette*, which was first published on the 1st February, 1655.

The name *Gazette* was taken from a Newspaper, first printed at Venice, and sold for a coin of that denomination.—"Not a *sol*, not a *gazet*," says the Antiquary, in Dodsley's *Old Plays*; and "a *gazet*," Coryat tells us, "is almost a penny, whereof ten do make a *livre*, that is, nine-pence."

In the 19th number of *The Gazette*, September 9, 1678—is,

“A Resolution of the Lord Mayor and Alderman, to shew their great care and tenderness of his Majesty's health, that two of the Aldermen should daily wait upon him in his bed-chamber at Windsor during his illness. In No. 50, December 26, is this advertisement:—“Whereas on Thursday the 18th instant, in the evening, Mr. John Dryden was assaulted and wounded in Rose-street in Covent-garden by divers men unknown. If any person shall make discovery of the said offenders to the said Mr. Dryden, or to any justice of peace for the liberty of Westminster, he shall not only receive fifty pounds, which is deposited in the hands of Mr. Blanchard, goldsmith, next door to Temple Bar, for the said purpose; but if the discoverer be himself one of the actors, he shall have the fifty pounds, without letting his name be known, or receiving the least trouble by any prosecution.”

In N. THOMPSON'S *True Domestic Intelligence* for September, 30, 1679 it states that,

“Mr. Garraway, master of the famous Coffee-house* near the Royal Exchange, hath store of good Cherry-wine; and 'tis said, that the Black Cherry and other wild Cherries do yield good and wholesome Aquavitses and Brandies.—In some part of Buckinghamshire they are said to have got from the Canaries a sort of Barley, which hath roes of Barley upon every ear. In some other places they have a sort of Wheat which bears four, five, or six ears of wheat upon every stalk; but it is not much commended.”

The following curious Article appears in *The True News* No. 37, 1679—

“A Project was setting on foot for conveying of letters, notes, messages, amorous billets, and all bundles whatsoever, under a pound weight, and all sorts of writings (challenges only excepted), to and from any part of the city and suburbs; to which purpose the projectors have taken a house in Lime-street for a General Office, and have appointed eight more stages in other parts at a convenient distance; a plot, if not timely prevented by the Freeman Porters of the City, is like to prove the utter subversion of them and their Worshipful Corporation.”

In *The Mercurius Librarius*, or a faithful account of all Books and Pamphlets, No. 2, April, 1680, is the following curious article

“All Booksellers that approve of the design of publishing this Catalogue weekly, or once in 14 days at least, are desired to send in to

* The above well-known establishment, still bears the name of Garraway's Coffee-house.

one of the Undertakers any book, pamphlet, or sheet, they would have in it, so soon as published, that they may be inserted in order as they come out : their books shall be delivered them back again upon demand. To shew they design the public advantage of the trade, they will expect but 6d. for inserting any book ; nor but 12d. for any other advertisement relating to the trade, unless it be excessive long."

In 1682, Benjamin Harris published *Domestic Intelligence*, every Thursday, (gratis) for the promotion of Trade.

The Jockey's Intelligencer, or Weekly Advertisements of Horses and Second-hand Coaches, to be Bought or Sold; charged One Shilling for the Notification of Sale of a Horse or Coach ; and Six-pence for the Renewal. (1683)

Weekly Memorials, or accounts of Books lately set forth with other accounts relating to Learning by Authority, No. 1. Jan. 19., 1618—9—This is the earliest specimen of an English Review.—*The Edinburgh Reviewer* began a few months earlier. *An Account of the Proceedings of the Meeting of the Estates of Scotland*; with Licence. Published by Richard Chiswell, at the Rose and Crown in St. Paul's Church-yard, No. 1, March 25, 1689.

This paper, printed on a folio half-sheet, was continued by Richard Baldwin till October, 1690 ; and, together with the proceedings of the Convention, contained news and advertisements. When the Revolution had been accomplished in Scotland, this paper seems to have ceased in England.

The London Mercury, 1691.

The sixth and seventh numbers of this paper were ornamented with a curious wood-cut, representing an owl perched on a raven, with the words "*Par pari*, or Birds of a Feather." (Doubtless a hit on DUNTON.)

By an advertisement in *The Athenian Gazette*, dated, 8, Feb., 1696, it appears, that the coffee-houses of London had then, (exclusive of the *Votes of Parliament* every day,) *nine Newspapers* every week.

Dawk's News Letter, [*on a type to imitate Writing*,] No. 1, Aug. 4, 1696.

"This letter will be done upon good writing-paper, and blank space left, that any gentleman may write his own private business. It does undoubtedly exceed the best of the *written news*, contains double the quantity, is read with abundance more ease and pleasure, and will be useful to improve the younger sort in writing a curious hand."

The Edinburgh Gazette, printed by James Watson, No. 1, Feb. 28, 1699. Watson was Author of *The History of Printing*, and for several years, the great news-monger of Scotland, as Butter had been during a prior age. In 1699, after having published 41 numbers, he transferred *The Edinburgh Gazette* to John Reid.

The last paper published in London, in the 17th Century, was *The Weekly Comedy*, as it is daily acted at most Coffee-Houses in London; it commenced on the 4th of May, 1699.

Having thus closed with an outline of some of the eccentricities of the times, we shall merely state that at the commencement of 1700, were ushered in some papers of quite as extraordinary a character; the following are the three first specimens,

"The Dutch Prophet; or, the Devil of a Conjuror; No. 1, being infallible Predictions of what shall happen in and about the Cities of London and Westminster, by Peter Nicholas Vaugrin, late Superior of the College of Lapland Witches, and Chief Negromancer to the Dutch at Japan: to be continued weekly." (1700)

"The Merry Mercury; or, a Farce of Fools, No. 1, Nov. 29, 1700."

"The Infallible Astrologer, 1700."

To these whimsies may be added the *Flying Post*, the *Farthing Chronicle*, the *Halfpenny Journal*, *The Penny Post*, *The Growler*, or Diogenes robbed of his Tub, *The Balm of Gilead*, or Healer of Divisions. *The Monthly Weather Paper*; "being some baroscopical Discoveries from what part or parts of the compass the wind may be likely to blow; with what other sorts and alteration of the weather may be expected every day and night."

At the commencement of the 18th Century, Advertisements were inserted in the *Observer Reformed*—Eight lines for one shilling!

The following excellent plan was adopted in *The Country Gentleman's Courant*, on Saturday, October, 5, 1706.

"This paper the Proprietors are pleased to give away on this day only, that the design may be the better known, and the sale encouraged as it deserves.—Among the crowd of newspapers that come out weekly, it is hoped this may find as favorable a reception as any, when its usefulness is rightly considered; for here the reader is not only diverted with a faithful register of the most remarkable and mo-

mentary transactions both at home and abroad, which occur to our knowledge in a week's time; but also with a *geographical* description of the most material places mentioned in every article of news; whereby he is freed the trouble of looking into maps or books of geography for his informatinn, and his reading is rendered easy, profitable, and pleasant. Besides this advantage, there are others to be considered for its recommendation; for, as this paper contains all that is of moment in all other newspapers that are published every week (which many gentlemen and others have not the opportunity of seeing or perusing, either because of their distance from this City, of London, or the emergency of their private affairs, or by reason of the charge of the several newspapers and postage, which is very considerable); so it is hoped many gentlemen will encourage this so useful a design, since no one can read but must understand, it being suited for the meanest capacities' improvement and satisfaction, by obliging their friends in the country with it, the charge being no more than 2d. per paper. And as promotion of trade is a matter which ought to be encouraged, advertisements will be taken in by the publisher hereof at 2d. per line."

The following Anecdote of Abel Boyer, author of the French Grammar, French Dictionary, &c., appears in his case, right and title, in writing of the *True Postboy*, a Newspaper published in 1709. He observes,

"All gentlemen, shop-keepers, coffee-men, and others, who will think fit to continue the true Post-Boy by A. Boyer, are desired to give particular directions about it to the Hawkers that serve them; because Mr. Roper uses all mean endeavours to hinder its being dispersed. Mr. Roper, in particular, ought gratefully to reflect, that Mr. Boyer has written for him, 'The History of King William.' in three volumes; 'Seven Volumes of the Queen's Annals; some other books; and the Post-Boy for four years; by all which he has got considerable sums of money."

The British Mercury, No. 1, March 27, 1710.

This paper was established by the first projectors of *The Sun Fire Office*; who appeared to have then lately purchased the interest of a preceding office which had been managed by Mr. Povey.—"In a few days," they state, "the Company's Policies will be ready, and delivered *gratis* to all persons who had subscribed to the Exchange-house Fire-office, and continue to insure their house or goods from loss by fire with the Company of London Insurers, they only paying their quarterage as usual."—The top of the paper is ornamented with a bold *Sun*, resembling the present badge of the Sun-fire office.—At No. 38 they added the figure of Mercury.

The British Mercury, No. 12, October 24, 1710, contains

a catalogue of the Newspapers published in London on each day of the week ; the numbers were—on Monday 6, on Tuesday 12, on Wednesday 6, on Thursday 12, on Friday 6, on Saturday 13, in all 55 ; two or three being published daily, and most of the others on alternate days.

The British Mercury was published by the Company of the Fire-office in Threadneedle-street, August 2, 1712. It is worthy of remark that on the 30th of July, 1712, No. 369, of the above paper was published, and was the beginning of a new series occasioned by

“The *Stamp Duty*, which took place on the 2nd of Aug., 1712, on all ‘printed single sheets and half-sheets,’ which was extended to a sheet and a half; and contains an introductory history of Newspapers; some extracts of which will not be inapplicable to the present article: ‘It does not appear that this method of spreading news in print was much in use before the reign of King Charles I.; and even then it had its beginning with those calamities which involved the whole nation, and, no doubt, contributed much towards them. The Rebellion then set all the presses at liberty; and the two contending parties attacked one another as fiercely in paper as they did in the field. *Mercurius Politicus*, *Mercurius Aulicus*, *Intelligencers*, and many more under several denominations, flew about in the cities and towns, as the bullets did in the open country. The Restoration, bringing back the blessing of peace, for a time put a period to that distemper, suppressing that furious run of news and slander. The famous *Muddiman* was then the only news-monger, supplying the Nation with some intelligence, as to public affairs, by written letters. This furnished him with a plentiful maintenance, and satisfied the then less curious people; nothing of that nature being yet in print, except, I think, for some time, a single paper, by the name of an *Intelligence*. In the year 1655, *The London Gazette*, published by authority, first appeared in the world, and continued the only paper of that sort; till, about 1677 or 1678, the old ferment beginning to work up again in the nation, those who desired to increase it again revived the dormant practice of alarming the multitude by the help of the press, wherein they were not disappointed of their expected success. King Charles II. having, in some measure, allayed those storms, a suitable stop was put to that exorbitant liberty of printing. The *Gazette* again became the most regarded, and, as I take it, the only news in vogue; and so held on during the remaining part of that Prince’s reign and the beginning of his successor’s. Some time before the Revolution, the press was again set to work; and such a furious itch of novelty has ever since been the epidemical distemper, that it has proved fatal to many families; the meanest of shopkeepers and handicrafts spending whole days in coffee-houses, to hear news and talk politicks, whilst their wives and children wanted bread at home; and, their business being neglected, they were themselves at length thrust into gaols, or forced to take sanctuary in the army.

Hence sprung that inundation of *Postmen, Postboys, Evening Posts, Supplements, Daily Courants, Protestant Postboys*, amounting to 21 every week, besides many more which have not survived to this time; and besides the *Gazette* which has the sanction of public authority; and this *Mercury*, only intended for and delivered to those persons whose goods or houses are insured by the Sun Fire-office. Yet has not all this variety been sufficient to satiate the immoderate appetite of intelligence, without ransacking France, Holland, and Flanders, whence the foreign mails duly furnish us with the *Gazettes* or *Courants* of Paris, Brussels, Antwerp, Amsterdam, Hague, Rotterdam, Leyden, and some others not so common, besides the French and Holland *Gazettes-a-la-Main*. The new duty imposed on printed single sheets and half-sheets will doubtless somewhat lessen the number of English newspapers; and a peace may perhaps be fatal to such as survive the first blow.—However, this *Mercury* may, in all likelihood, subsist after the suppression of the others above-mentioned, because, having never been designed for nor exposed to common sale, its being does not so much depend on chance and the inconstant humour of the multitude. It is to be believed there will be insuring as long as there are goods and houses to insure; and this Office having met with sufficient encouragement, not to question its establishment, the *Mercury*, which stands upon the same foundation, may well promise itself a continuance.”

Swift, in his *Journal to Stella*, thus notices the Stamp-duty: “*Grub-street* has but ten days to live; then an act of parliament takes place that ruins it, by taxing every half-sheet a halfpenny.” *Journal to Stella*, July 9, 1712.—“Do you know that *Grub-street* is dead and gone last week? No more ghosts or murders now for love or money. I plied it close the last fortnight, and published at least *seven* papers of my own, besides some of other people’s; but now every *single half-sheet* pays a halfpenny to the Queen. The *Observer* is fallen; the *Medleys* are jumbled together with the *Flying Post*; the *Examiner* is deadly sick; the *Spectator* keeps up, and doubles its price; I know not how long it will hold. Have you seen the *red stamp* the papers are marked with? Methinks the stamping is worth a halfpenny.” *Ibid.* Aug. 7, 1712. The duty first took place Aug. 12, 1712; and on the same day in the year 1789 was increased to TWO-PENCE.

On the 18th May, 1713—*The Reconciler* published two papers at once (a sheet and a half) to evade the Stamp Duty.

The *Historical Register* was published in 1717, at the expense of the Sun Fire Office; it was an excellent paper, and continued till 1738.

CHALMERS observes, that it may gratify our national pride to behold, that to the wisdom of Elizabeth, and the prudence of Burleigh, we owe the Introduction of Newspapers,

the First of which was called *The English Mercurie*, and was printed during the Spanish Armada, and is still preserved in the British Museum, being dated 22nd July, 1568; from 1558 to 1662, few of these publications appeared; but the Victories of Gustavus Adolphus having excited the curiosity of our countrymen, a Weekly Paper called *The News of the present Week*, was printed. After some time this was continued under another title, and ultimately it was succeeded by the *German* and *Swedish Intelligencer*. These papers were originally issued in the shape of Pamphlets, and continued to 1661.—Roger L'Estrange, published—*The Public Intelligencer* in the present shape of Newspapers. *The London Gazette* was published in 1665, under the title of *Oxford Gazette*, it having been printed at Oxford during a Session of Parliament held there on account of the plague then raging in London, and from this period it is curious to trace the progression and increase of these interesting vehicles of information. From 1661 to 1668, no less than 70 Papers were published under different titles; after the Revolution the *Orange Intelligencer* appeared, and thence to 1692, there were 26 different others brought forward. From an Advertisement in the *Athenian Gazette* of 1696, it appears that the Coffee-Houses in London were then supplied with 9 papers every week, exclusive of votes of Parliaments, but there is no mention of any one printed daily. Nineteen papers were published in 1710. *The London Courant* was a daily paper in 1724; and there were 3 daily, 6 weekly, and 3 new Evening papers every week. In 1712, the number of copies issued in England amounted to 15,005,760. The total number of separate papers published in Great Britain and Ireland, in 1808, was 215.

The following paragraph from the Bishop of Cloyne's Scrap-book states,

"It is not generally known that it was in the reign of Anne London first "enjoyed the luxury of a news-paper every day;" that, in 1709 there was *one* daily-paper, and *seventeen* other papers; that, in 1724 three daily papers were published, and *eighteen* other papers; that, in 1753 the number of news-papers sold in all England, according to an average of three years preceding, was 7,411,757; that at the close of the late reign in 1760, it was 9,404,790; that, in 1790, it was 14,085,639; in 1791, it was 14,794,153; and in 1792, it was 15,005,760. This forms such a phenomenon of curiosity political and literary, of riches

universally diffused, and of enquiry universally awake, as has not been paralleled in any other part of the world."

Upwards of Five hundred different Newspapers and other periodicals, were published during the Eighteenth Century, under such a variety of heads and titles, that a concise Dictionary of them may not be unacceptable to our readers, or to the future Projector, who in coining a title—without having seen the following list—will on perusing it, find that there is scarcely any thing "New Under the Sun"—for we have had in various forms the—

Adventurer, Advertiser, Advocate, Albion, Atlas, Apollo, Aurora, Babler, Bachelor, Benefactor, Briton, Censor, Champion, Chronicle, Citizen, Connoisseur, Correspondent, Courant, Courier, Craftsman, Critic, Dazzler, Diary, Director, Doctor, Examiner, Flapper, Freeholder, Freethinker, Gazette, Gazeteer, Globe, Growler, Grumbler, Guardian, Herald, Idler, Inquisitor, Informer, Intelligence, Inspector, Ledger, Looker-on, Lover, Lounger, Mail, Medley, Mercury, Mirror, Moderator, Monitor, News, News-letter, Observer, Old Maid Olio, Oracle, Overseer, Packet, Parrot, Patrician, Patriot, Peeper, Phoenix, Pilot, Plain-dealer, Plebian, Post Angel, Post Boy, Post Man, Pratter, Projector, Promptor, Rambler, Reader, Reconciler, Register, Remembrancer, Repository, Reprisal, Review, Rhapsodist, Scourge, Spectator, Speculator, Spy, Standard, Student, Star, Sun, Times, Telegraph, Tatler, Test, Templar, Tory, Visiter, Volunteer, Wanderer, and the World.

We are unwilling to extend this paper by entering on other phases connected with this subject, but in our next number we shall, from very many sources, place before our readers a variety of most instructive and most interesting facts bearing upon the topics of this present paper. Our notes for these our papers were made at various times, in many libraries, and from many books; we collected them, and we print them, because we believe with Johnson that "He who collects is laudably employed: for though he exerts no great talents in the work, he facilitates the progress of others; and by making that easy of attainment which is already written, may give some mind, more vigorous, or more adventurous than his own, leisure for new thoughts and original ideas." *

* For the first, second and third papers of this series, see *LAMM QUARTERLY REVIEW*, Vol. VI., No. 23, p. 489, No. 24, p. 647. Vol. VII., No. 25, p. 1. It is right to add, that the antiquity of "The English *Mercuriè*" has been disputed, and Disraeli appears to think it a forgery of Birch's.

ART. II.—ATTORNEYS AND THEIR EDUCATION.

Report on Legal Education, Printed by Order of the House of Commons, March, 1850.

That every man is acquainted with the law is a fiction as imaginative and fantastic as the existence of John Doe and Richard Roe: that every professor of the law is also learned in the law—the sad experience of many of our readers will probably prompt them to deny. The truth is, that while in every city, town, and village of the empire we meet with persons, whose constant theme of sorrow is the loss of property, of credit, of position, by the dishonesty or incompetency of the legal advisers, no one appears to think it necessary or prudent to enquire into the sources of such complaints, and to ascertain if their frequency be at all attributable to the system pursued in training our lawyers.

We intend to confine the observations we are about to make upon this subject, to what may be termed the lowest estate of the profession of the law, that most important, and very numerous body, the Solicitors and Attorneys.

If the profession of the attorney be more practical in its details, and less conversant with the science of the law than that of the barrister, the public have even a greater interest in the characters, capabilities, and acquirement of its members, and of being assured of finding them honorable, skilful, and intelligent.

We are well aware that no scheme of supervision or selection, however extended or accurate, can succeed in excluding entirely from this or any other profession persons of bad or indifferent character; frequently these dispositions are not developed where the opportunities or temptations are presented, and in most cases the age at which the candidate seeks admission into the profession is too little advanced to enable the most observing to decide confidently on the future development of the mind. We do not therefore expect too much in this respect, but we certainly cannot be satisfied with the present system, in which no precaution whatever is taken to protect the public against actual ignorance in the practitioners.

In a country in which all matters relating to the acquisition and security of property are matters in which people of all ranks manifest so deep an interest, the general indifference to the training of this important profession is indeed amazing

With us, when a man falls sick, and is led to consider his life in danger, his first and most anxious thoughts are turned towards the state of his worldly circumstances, and the position in which his family will be placed after his decease. The acquisition of wealth in a commercial country like this forms indeed the principal aim of each man's existence, and most men engaged in the pursuit would at any time prefer to give up life rather than part with their hardly earned gains. Not that in the abstract, a man will be always ready to surrender his life to preserve his fortune, but, practically, existence is chiefly prized as necessary to the pursuit of wealth, and every day we see life perilled without hesitation and often even rashly in its pursuit. And it is here that the anomaly appears indeed glaring. Every precaution with which prudence can be armed is exercised to prevent unqualified persons from engaging in the practice of medicine, and undertaking the cure of our sick or worn out bodies, but not a precaution, not a safeguard worthy the name, is adopted to protect our properties and possessions from being lost and dissipated through the ignorance or incompetence of our Attorneys and Solicitors. A man cannot prescribe for a head-ache or a sick stomach without being furnished with certificate and diplomas which have been obtained, not as a matter of course after a few years apprenticeship, but after a searching and often severe examination conducted by competent persons; but five, or as the case may be, three years, and no matter how idly or unprofitably passed in the office of an attorney, qualify the apprentice, as we shall presently see, to undertake the care and management of matters involving the security of our worldly possession, and therein our very lives.*

It may be argued, and we have heard it argued, that the chief force of observation and solicitude should be directed to the other branch of the profession, and that an honorable and learned Bar forms the best protection of the public interests.

We cannot adopt this view. The nature of those duties which devolve upon the Barrister, is essentially different from that which appertains to those of the attorney. Matters come before the barrister piecemeal, each portion distinct in itself,

* Nay take my life and all, pardon not that :

You take my house, when you do take the prop

That doth sustain my house; you take my life,

When you do take the means whereby I live.

The Merchant of Venice. Act 4. Scene I.

and he is permitted ample time to consider each and to consult his books and more experienced brethren. Moreover, as regards the public, a man can always be certain, in selecting a barrister, of finding a first-class man for his purpose. The public display incident to his profession brings the barrister prominently forward, and enables every man to form an accurate opinion of his merits. But the attorney is exposed to no such test; except in a few cases, an attorney seldom achieves any particular reputation, save a character for respectability and honesty.

The Bar, who receive their instructions from and are in daily communication with the attorneys, are the best judges of their abilities and extent of knowledge; but professional etiquette does not, as a general rule, permit a barrister to recommend the employment of a particular attorney. A man in selecting his attorney is usually influenced by family ties, relations of marriage and so forth. He is justly anxious to forward his connexion or relative in his profession, and at the same time prefers confiding his private affairs to such a one to entrusting them to a stranger. Often he is influenced by the fact of the attorney having been his father's, or his uncle's or his brother-in-law's adviser. In any such case, he generally knows but little of the real abilities and legal acquirements of the person he employs. An attorney may have conducted the business of a man for years without having made one slip or mistake, and yet be comparatively ignorant in his profession.

Were we to suppose, for a moment, that there were only twenty barristers in practice who possessed a competent knowledge of law and sufficient abilities to conduct a case, the public would still be always sure of having the services of some one or more of these twenty. A prudent man rarely insists on his solicitor employing any particular counsel, and the selection is thus left to the person of all others best qualified to make it. As there will always be a sufficient supply at the bar of men of ability and knowledge, the public cannot run any risk, and there does not appear the same necessity for insisting on any particular training and examination of students for the bar. If the attorney be properly educated and qualified, he will be both able and willing to select the best man at the bar for the conduct of his client's case.

For these reasons it is we think that the public need protection in this respect, and safe assurance that no matter where

they select an attorney, they will have a moral certainty of his being at least well informed in the study of the law, in both theory and practice.

It certainly appears most unreasonable that while the medical profession exacts certain conditions before it permits its tyros to exercise their skill on such patients as fortune may throw in their way, the law permits its alumni to experimentize upon the public without control.

It is doubtless true that the illnesses and accidents daily endangering the lives of men are frequently sudden and unlooked for; a broken leg or a violent inflammatory disorder will call for prompt treatment, and it is of vital importance in such cases that the patient may be reasonably assured that he is safe in taking the first man who comes to hand; but this is only an additional reason for extending the same precautions to admission into the profession of the law, as are adopted in the medical, for though a man can in most cases deliberate before entering the uncertain arena of the law, and though in general he can look about him and choose for his legal adviser a man of a certain established character, yet many obstacles may lie in the way of his employing this particular solicitor in the affair in hand. A number of previous engagements, the nature of the particular business, relationship, or connexion, or intimate acquaintanceship with the opposite party, may one or all intervene, and the unlucky suitor is compelled to trust to the recommendation of friends or chance, the conduct of affairs of perhaps vital importance. In such a case he ought not to have imposed upon him, the necessity of any enquiry save as to the character and respectability of his Solicitor. Admission to practice should be in itself a certificate that the practitioner is at least qualified in legal acquirements.

Before considering what appears to us to be the right mode of dealing with the matter and of training our solicitors and attorneys, we propose to state how the matter is managed at present.

In order that no time may be lost before the anticipated golden harvest is begun to be reaped, we usually find youths in this country apprenticed to the profession of attorney at the earliest eligible age, sixteen years. Having passed through an apprenticeship of five years, they reach the looked-for goal, and are lauded upon the stormy sea of legal competition, at the mature age of 21 years. A University Degree entitles the apprentice to dock two of these five years, and the time occupied

in crude and ill assorted classical and mathematical lore is considered an equivalent for two years in the office.

The first employment to which the young apprentice is usually devoted on entering his master's chambers is the careful copying of the oldest, least legible, and most technical document in the office ; over this he hangs for a few weeks, relieved, by being sent into the streets upon some brain-adding message, and he is occasionally sent abroad upon some trivial errand.

Sometimes, though rarely, the master will entertain a vague and misty notion that his apprentice will need something more than this, and the subsequent routine of the office, to give him even a scanty inkling of the science of his profession. Then if of a generous disposition, and willing to devote some trifling portion of his valuable time to the improvement of his apprentice, he will probably read aloud for him, or cause him to read daily a chapter of the dryest and least interesting portion of Blackstone's *Commentaries*, and having continued this notable system of instruction for a few weeks, until probably the press of profitable business interferes with its continuance, he rests easy and content that he has given good value for the trifling £200 fee which he received with his apprentice.

After the first few weeks, the progress of the apprentice until he becomes a fullgrown clerk, in everything but salary, is little varied.

Accompanied at first by his master or a clerk, or a more advanced fellow apprentice, he is introduced into the mysteries of the Courts and Offices, until able to tread his way through the dark labyrinths of the latter without a guide, and fit to undertake the onerous duty of watching the uncertain progress of a motion by a blazing fire in the "Rolls". From this time the scene is but little varied, and by dint of constant gazing and contact practical knowledge of the wheels and machinery of the law is partially attained, but of the principles which guide and govern its motions, not a jot. It cannot indeed be otherwise. No one can expect that after laboring at these occupations all day, a youth of 18 or 20 will feel inclined to sit down in the evening to devote himself to study law. Be he ever so studiously inclined, the most his mind will be in a state to digest is general reading, and even in that the majority of apprentices find too little relaxation.

Taking it as an admitted fact, which we do without hesitation

that the apprenticeship of the attorney teaches him nothing, save practical technicalities and routine, the question naturally arises, how do we propose to remedy the present evil?

The enquiry resulting from this question divides itself into three branches. The first is directed towards the period immediately antecedent to the indenturing; the second to the course of the apprenticeship itself, and the third to the conclusion of the service and the admission as an attorney.

We think we shall succeed in showing that in each of these stages the present system is insufficient and incomplete.

The selection of one son, out of three or four, by their father, for this profession is frequently, we might go so far as to say generally, made without sufficient reference to the peculiar bent of mind and taste of the one chosen. While in many, perhaps the majority, of cases, it is made from a wish and hope that the profession will furnish its alumnus with an honorable and profitable calling, it but too frequently arises in the case of men in a comparatively humble sphere, from a foolish notion of the accession of dignity and respectability which are to accrue to the family which boasts a "gentleman attorney" as one of its members. In no case, however, are the talents and natural taste and turn of mind of the intended attorney sufficiently considered, nor does the parent always reflect upon his own ability or inclination, or both, to provide his son, on his entering on the practice of his profession, with sufficient capital to prosecute it with vigor and success.

Supposing, however, that the youth destined for an attorney possesses what is commonly and correctly enough called a "taste" for his profession, it is obviously proper that he should have in addition a certain amount of knowledge and education. He is not, after all, about to embrace a profession an intimate acquaintance with which consists solely of dry and mouldy technicalities, or which is to be acquired by five years of assiduous desk work. He will hereafter find that no species of knowledge will be useless to him in the direct practice of his profession, and that to become eminent and successful, he must if comparatively uneducated, possess extraordinary advantages. It is not alone in the direct application of his knowledge to every day occurrences and business, that its value and importance will be found, but rather in the habits of thought and enquiry which it will have created in its acquisition; in that broad and clear view of the principles of things which it will suggest,

and in the generally elevated and enlarged tone which it will impart to his intellect and thoughts.

In this country an apprentice is, as we have stated, usually bound at the earliest eligible age—sixteen years. It is not likely that he will then know a great deal unless unusually precocious; this perhaps would not so much matter if he possessed a decent amount of education and information, and had, so to speak, his head hardened by previous habits of study; but we regret to say the young apprentice will generally be found nearly ignorant, having nothing but a smattering of Greek and Latin, and an education in the important English branches, and in arithmetic, and its kindred studies wholly neglected. The result will inevitably be a total want of real interest in the pursuit of his profession, as it should be pursued, and an inaptitude and unwillingness to acquire professional knowledge. In addition, and above all, if he have not taken advantage, or been allowed to take advantage, of the time prior to the commencement of his indentureship for the acquisition of that knowledge which in the course of his profession he will find so invaluable, how can he possibly, during the course of his servitude, find opportunities for its acquirement?

His days will, as we have seen, be wholly occupied, and his evenings will, we might say necessarily, be devoted to relaxation.

It is on this great ground that we principally insist on the absolute necessity of a sound and practical education previous to the commencement of the apprenticeship, and an examination by competent authorities previous to the indenturing.

Some controversy may doubtless be raised as to the nature and extent of this examination, and we do not propose to enter very minutely on the subject. We think, however, we have said enough to show the unfairness of loading the shoulders of the apprentice with the burthen of laborous study of branches of knowledge, the necessity for acquiring which is even during his servitude forcibly demonstrated to him. We think that a tolerable acquaintance with Greek and Latin should be required without restricting the particular authors. In this department the examination could be so directed as to test the applicant's knowledge of the language without requiring him to be prepared in any particular author or set of authors, a plan which has laid the foundations of the cramming system. The examination in science should not in our opinion, any more than that in classics, be too exacting at the comparatively early age of the

candidate, and at a merely preliminary stage, but a thoroughly sound and practical knowledge of arithmetic in all its branches should be insisted upon, such a knowledge as would bear the test of practical investigation by means of questions to be put and solved on the spot, questions such as might be expected to arise in every day experience. A hand-writing at least distinct and regular if not elegant, should be indispensable, and a sufficient acquaintance with French to enable the candidate to translate at the least that language readily into English. In addition, lastly, to the usual branches of English education, and in particular practical geographical and topographical knowledge, the candidates should be able to write with ease from dictation, and to put into clear and correct English the details of any subject of which the heads should be given.

Having passed this examination satisfactorily and been bound, we are disposed to leave the apprentice to himself, thenceforth, as regards general education. If he possess any refinement of taste, or even a desire for self improvement, he will need no spur to incite him in the pursuit of knowledge, and to make him feel how gracefully literary tastes adorn the solemnity of professional excellence.

If, on the other hand, the turn of his mind be wholly practical, he will daily learn the usefulness and value of what he knows, and will at least struggle to preserve if not to enlarge his possessions.

Our care now must be to make our embryo attorney as well fitted as possible to fill his future position with profit to his clients and the public as well as to himself.

The question now arises, how are we, during the apprenticeship, to instruct the apprentice, and teach him such portions of the legal system as it is proper and necessary he should know. We must be careful not to interfere, at least as little as possible, with the office routine. To take away the apprentice for a considerable part of each day, or even every alternate day, would be unjust to the master, and would lead in many instances to idleness and abuses. Overloading the memory should also be avoided, and the instruction conveyed should be as practical as possible. It strikes us that no mode of instruction possesses the same advantages as that of lectures, and that in no other way can the same amount of information be so clearly and easily conveyed. We would suggest then the appointment of a sufficient number of qualified lecturers, who should be barristers,

and who during term should deliver lectures say twice in each week. These could easily be so arranged at recurring times, as to provide for the irregular periods at which apprentices are bound ; or better still, and perhaps as a consequence of the adoption of such a system as we indicate, there should be regular periods at which apprentices could be, and only could be, bound. No possible difficulty could arise to prevent the punctual attendance of apprentices at these lectures, but we do not propose to make that attendance voluntary ; on the contrary, the strength of our suggestion lies in the compelling of all apprentices, save when duly excused, attending regularly, and being required before claiming a right to be admitted to practice to produce their certificates of attendance. In fine, without going into details, the arrangement of which would be a matter of little difficulty, we think that there is no reason why an important profession like this should be reduced to the level of a mechanical trade, and the daily routine of office work be considered a sufficient training. We only contend for the principle, leaving the details to be carried out by practical men, and we are confident that the principle we advocate will be fully admitted by all who feel an interest in the elevation and improvement of this important calling. If occasional rewards or prizes for proficiency were distributed a highly beneficial result would be attained, for few would be found to despise a distinction which in all probability would materially serve their subsequent progress.

We must disclaim in our present paper any wish to interfere in the slightest degree with the other profession, that of the Bar, or the indulging of the utopian and mischievous idea of making the attorney independent of the barrister. This, in our system of legal administration, would be simply impossible, as far as the business of the advocate is concerned, but while we ardently desire to see the attorney properly instructed, it is only within his own peculiar province that we wish to see him range ; we are confident that a proper training would not only render him a far more useful person, in the mere matter of legal acquirements, but would also greatly tend to raise and improve his tone of mind, and to stimulate and foster those high feelings of integrity and honor, which adorn the profession while they protect and serve the public. No, while we are far from desiring to see the profession composed of men aping the barrister, and taking upon them to express opinions on sub-

jects neither within the scope nor purpose of their legal training, we wish to see them possessing that knowledge of the law which will preserve them from serious error, and from endangering the property and compromising the rights of their clients by rash or unsound advice, or by injudicious management.

It is not likely that with due attention to the course of lectures suggested, provided those lectures be of a practical character and suited to the requirements of those addressed, that any young man will pass his apprenticeship without having acquired a tolerably sound knowledge of all that he should know, and the estimate of that requisite knowledge is generally speaking too low. The duties of the attorney are not merely mechanical and wholly subservient to the barrister. He is frequently called upon to answer questions involving considerable difficulty, and as to which there is neither opportunity, nor desire to consult the barrister. In mercantile matters especially, questions involving nice points of law will frequently and suddenly be put, which *must* be answered on the spot, and answered so as to exhibit to the shrewd and well informed querist either skill or ignorance. In the preparation and perusal of deeds, abstracts of title, and every day agreements, difficulties will sometimes occur which a tolerable acquaintance with principles and a thoroughly practical training, will speedily remove, and the well-informed attorney will have an opportunity of establishing his reputation for skill and competency without in the slightest degree encroaching on the limits of the other profession.

As we have before observed, a general supervision of the previous educational training of intended apprentices, and a regular system of instruction during the apprenticeship, will unquestionably serve, besides making a skilful attorney, the additional end of improving the general character of the profession.

We daily hear complaints, and we admit with deep pain well founded complaints, of breaches of good faith, and acts of sharp practice, and even worse, on the part of our attorneys. It ought not to be necessary, as it too often is, to be careful to have put into writing and duly signed every promise and undertaking, made by an attorney: his word, the word of a man of honor, should have some weight, and it must be, we are sure it is, the earnest wish of our judges and legal functionaries to feel a confidence in, and a liberty to act with confidence upon, the word and verbal statement of every attorney practising

before then. That they cannot safely do so, we deeply deplore, and can only hope that some day it may be otherwise, and that in this important and useful profession at last every man's word shall be his bond. It will we fear be only then that the great mass of prejudice that now exists, with reference to this section of the legal body, will be swept away, and that the roguish, and grasping, and pettifogging attorney will cease to lend a point to the fiction of the dramatist and novelist.

There is a portion of the prejudice we have alluded to which is, however, less excusable than the rest, and that is with reference to the scale of remuneration allotted by law to the attorney: we should hardly have used these latter words, for the most violent portion of this prejudice proceeds upon a total forgetfulness that the law has fixed, and rigidly fixed, the payment which an attorney is to receive for his service. To hear some men speak, one would be inclined to fancy that the profession had adopted by some common consent an extravagant and ruinous system of fees, and had enforced the payment of these fees by the free use of every engine of oppression that can by craftiness and fraud be constructed out of the great workshop of the law. Now it may be worth while to consider if after all, the rate of payment which the legislature sanctions and allows to the attorney is disproportionate to the nature of the services which he renders, when he performs his duty with accuracy and skill. Every business in which the commodity bartered to the public consists of the exercise of intellect, and the fruits of knowledge and skill, will to the vulgar at least appear one in which the payment should not be very liberal. It strikes an ignorant man with surprise that while he himself sweats and labors all day long for a few shillings, the barrister or attorney earns as much, or more correctly, at least in the case of the latter, has a right to as much for an hour's advice. His labor is hard and severe, that of the professional man is nought. The shopkeeper too feels that in his trade a capital is invested, and that his goods given over the counter represent so much cash on which he has a right to a certain return, but in his eyes the professional man invests no capital, and earns his money without trouble or risk.

As long as ignorance refuses to acknowledge the power and strength of intellect and to undervalue mental labor, so long will it be difficult to argue with the former class; but the better educated body which constitutes the latter class, should learn

that in a large sum paid into the Revenue for permission to adopt their profession, in five years spent in an apprenticeship, and many an anxious hour spent in the study of their profession, and in the risk and accountability to the public for their skill, the attorneys have invested no inconsiderable sum, such a capital as most justly entitles them to a liberal return. We strive in vain to understand the readiness with which on the one hand a man hands a guinea to a doctor for a few minutes conversation and advice upon his health, and the extreme reluctance with which on the other he pays a third of the sum for an hour's anxious conference with his attorney upon matters of far, perhaps, deeper importance.

Many men, and these too educated and intelligent, think it no injustice to occupy an hour at least daily of their solicitor's time in questions and desultory conversation, directed nevertheless to topics of immediate interest to their own affairs, without dreaming of giving him the slightest remuneration, satisfied that he is sufficiently paid by the profits of an occasional action instituted for the recovery of a trade debt.

No doubt a large portion of this evil has arisen from the system adopted by the attorneys themselves of making their services too cheap to the public, in place of standing upon that which is their right by custom and by law. Unfortunately, the profession of late years is at so low an ebb that none but a few of the old practitioners, whose fortunes are securely made, can venture on anything like an independent course of conduct, and so many inducements are held out to solicit custom that a man of probity and who desires to respect himself, can with difficulty retain his connexion.

Among those inducements the principal is an offer to carry on the business of the client in something like a joint speculation. If the attorney succeeds in extracting his costs from the pocket of the debtor, well and good, he reaps his reward; but if the debtor prove unable to pay, the agreement is that the client is to reimburse his attorney only his actual expenditure out of pocket. There is one class, and but one, of clients with whom we think it at all excusable to make such an agreement. In the case of a commercial house, giving extensive credit, a very large number of debtors will require from time to time to be brought to book, and if in every instance in which the debtor proved insolvent the creditor were obliged to pay the full costs to his own attorney, the amount to be so disbursed

would be too serious for continuance. In such a case, the profit realized in the successful matters, will generally prove an equivalent to the attorney for his participation in his client's loss, and the object of the proceedings in every case being the bonâ fide one of recovering a just debt, the arrangement does not appear open to any great objection.

Unfortunately, however, in the present day the man whose law business is confined to perhaps the recovery of a solitary debt in the year, looks for these terms with the confidence of a foregone conclusion that they are generally understood, and it must be at the risk of the total loss of the business of his client such as it may be, that the attorney dares to remonstrate or object.

To return from this digression to the main question. The system of instruction by lectures having been established, and the attendance of the apprentice thereat rendered compulsory, we think there is little doubt but that every man of ordinary capacity will reach the end of his apprenticeship tolerably well instructed; at least if he does not, we may fairly, save under peculiar circumstances, attribute his deficiency to his own fault.

We think then that every apprentice should at the end of his term undergo a proper examination at the hands of competent persons, and pass the same satisfactorily before being permitted to engage in practice. We think this final examination should be confined to legal subjects, and should be eminently practical in its character. In addition to questions put at the discretion of the examiners, suppositious cases, such as would be likely to occur in practice to an attorney, should be suggested, and the candidate should be asked for his opinion upon such. His practical knowledge would thus be satisfactorily tested and public confidence would be established in the ability and knowledge of the recently admitted attorney. Such an examination would be an improvement upon the present mockery, which seems to have been established solely for the purpose of putting certain fees in the pockets of a few respectable old practitioners.

These worthy old gentlemen, whose legal lore is not the most extensive, whose practical knowledge also has been rendered wholly useless, by the quickly succeeding changes of modern times, assemble at stated periods for the purpose of examining the candidates for the honor of admission. The latter are introduced seriatim, generally entertaining a slight dread of certain knotty questions which they have been told by some facetious friend will be proposed for solution.

This dread is speedily dissipated. Having communicated his name and address, and been asked in whose office his apprenticeship was passed, the whole ceremony concludes (after a few common-place remarks, and perhaps some enquiries after family and friends), by the interesting process of handing over the customary fees. Can anything be more ridiculous than this proceeding, or better calculated to bring an honorable profession into contempt and disrepute? In fact, under the present system there is nothing to prevent the worst man in the community, provided his character be not *publicly* blasted, from becoming a member of this profession, and no safeguard for the public against being victimized by the most ignorant and incompetent. The profession itself feels all the inconveniences and disadvantages of the present system, by which a man is suddenly introduced to the gravest responsibilities and duties without adequate preparation or instruction.

"Society," says Mr. Warren in his work, on law studies, "has a very deep stake in the personal character and qualifications of attorneys and solicitors, * * * * * to whom are entrusted the dearest and most important interest, upon earth, of persons in every station from the highest to the lowest, from the peer to the peasant; the property, liberty, character, and even life itself, of every member of the community, and the welfare of those unborn. An attorney and solicitor is perpetually called upon to afford his confidential assistance, in cases of the utmost delicacy, difficulty, and often, of danger; occasions requiring him to possess a high sense of honor, incorruptible integrity, as well as discretion, experience, and ready and accurate professional knowledge. * * *

* * * In no class of men is it of greater importance that virtuous principles should be early and assiduously cultivated in order to prepare them for, and guard them against temptations which are likely to prove irresistible to all who may not be thus fortified. Look, for instance, at the comparatively irresponsible and unlimited control over the property of numerous clients, which is possessed by every solicitor of eminence; the clients of greater or less degree of affluence—the widows and the fatherless—whom an improvident or unconscientious act of his, whether in his mere professional capacity, or in that of executor or trustee, might reduce in one moment to beggary! * * * * * The London attorney in good practice in the city is often required to advise his mercantile clients on

the spur of the moment, in the pressing emergencies continually occurring in commercial dealings, when large sums of money are at stake, and a great amount of property may be sacrificed, if the advice so suddenly required be not as promptly and prudently given. Take for instance the exercise of the right of stoppage in transitu—of lien—steps to be taken by the holders of negociable instruments, in sudden emergencies, without compromising their rights—the sufficiency of a disputed delivery and acceptance of goods—the validity of a proposed guarantee or security, which, under urgent circumstances, must be instantly accepted or rejected—measures to be adopted to secure the safety of clients, in case of unexpected bankruptcy or insolvency of their customers and connexions. * * *

* consider again the case of an attorney, called in at a moment's notice, on occasion of a client's sudden and dangerous illness, to prepare a will on the spot. How disastrous to the family of the deceased will be any oversight, from negligence or ignorance of the professional adviser of the deceased."

Having quoted these passages from Mr. Warren's book, and as the subject of which it treats is somewhat akin to that in hand, we desire before concluding this paper to offer a few remarks upon the work in question.

As a novelist, Mr. Warren has been eminently and deservedly successful, and as a barrister he has attained a respectable position. With his principles, religious or political, we have no concern, or rather we desire to have none, but Mr. Warren has an unhappy knack of occasionally forcing them upon his readers, without sufficient consideration for the feelings of those who may chance to differ with him. In works the avowed object of which is the expression and support of polemical opinions, and of such Mr. Warren has been occasionally the author, no exception can be taken to their discussion, but when a writer undertakes to amuse and instruct the public, or solely to instruct a particular profession, the introduction of such topics cannot fail to be offensive to a large section of his readers, and thus is a great measure defeat the object of the work. Even in his novels Mr. Warren is not free from this besetting sin, which so blinds a man's judgment by the force of prejudice and intolerance, as to make him drag in without apology or appositeness his own occasionally extreme, always illiberal opinions.

We have to notice an instance of this in the work before us; and what makes the matter worse, and gives an appearance of premeditated bitterness to the illustration, it is introduced with an appearance of being germane to the question.

In the chapter on "Mental Discipline" Mr. Warren enlarges on the necessity to the student of law of combining therewith the study of logic, and proceeds to recommend one or two writers on the art to the notice of the reader. Among these he mentions with a good deal of commendation, not alone his own, but gathered from eminent writers, William Chillingworth, and especially recommends the study of his book entitled "The Religion of Protestants a safe way to Salvation."

Though a judicious man and one of considerate feelings, writing moreover for the instruction of young men of every religious denomination, would hardly have recommended, and with enthusiastic praise too, this particular work to their general attention, we could have passed that by without notice, were it not that Mr. Warren proceeds with great minuteness to point out the peculiar force and beauty of the arguments with which Chillingworth overwhelmed and confounded his antagonist the (as Mr. Warren compassionately styles him,) "unhappy Jesuit." With which side lay the victory in this contest is a question we have no desire to discuss, nor have we any wish to detract in the slightest from the reputation which Chillingworth has left after him; but we can hardly conceive any proceeding adopted in worse taste than Mr. Warren's introduction of this book in the manner we have indicated.

Surely if his intense admiration of the work and its author would not suffer him to pass them without mention, he might have been content with a short notice of both, and left a minute examination to the research and inclination of the student. Could he not in the whole circle of British writers have found one other illustration of his text, and avoided what appears, at least, to be a gratuitous insult to the religion of a portion of his readers?

In spite too of his own and still more of the praise which those eminent men Locke and Clarendon have, as quoted by Mr. Warren, awarded to Chillingworth, many a champion might have been selected, who as a logician was as eminent as he, and the subject of whose reasoning could have been introduced without risk of offence.

It should also be borne in mind that this extraordinary

paragon of logical excellence, while a fellow of Oxford College, owned himself convinced by what we must suppose was superior reasoning, and became a Catholic, and being about to write a vindication of his conduct was induced by Laud, Bishop of London, to reconsider the matter, the result of which was a return to his former profession of faith, and the production of his celebrated work, which Mr. Warren loads with so much commendation.

We find him subsequently refusing to subscribe to the Thirty-nine Articles, owing to an objection to the damnatory clauses of the Athanasian Creed, and resisting until his promotion to the Chancellorship of Salisbury with the prebend of Brixworth annexed overcame his scruples.

Had Mr. Warren enlarged upon the *Horæ Paulinæ* with the same enthusiasm that he has done on Chillingworth's book, he would have given no offence, and would have in our opinion more faithfully served his purpose of introducing to the student the work the most suitable, and the best (as he indeed himself admits it to be) for his particular purpose.

When we began this paper we had intended going rather fully into the subject, and fortifying the case which (to use legal parlance) we have attempted to make by reference to parliamentary and other papers and reports. We could indeed adduce an overwhelming mass of such, which one and all tend to the same end, and to prove irresistibly the absolute prudence and necessity of adopting some system of professional education for the profession of the attorney.

But we do not think that we can strengthen our position by any other aid than that of facts, and the evidence and conviction of common sense.

All classes, the public, the bar, the attorneys themselves, must be benefited by and must desire a change from the present system. The public for obvious reasons require an intelligent and well-informed body of attorneys; the bar, whose duties and responsibilities will be lightened by communication with men of acuteness and accuracy instead of blockheads, must rejoice in the improvement; and the attorneys themselves, too well know how a better system would elevate their condition and increase their emoluments, not to long for the introduction of an improved state of things.

We do not indulge the utopian idea of making every attorney an accomplished lawyer, or even so much of a lawyer as to

induce him to fancy or make him feel that he can dispense with the assistance of the barrister, on occasions such as the discriminating attorney now likes to consult him, but we wish to see him freed from the thralldom of ignorance, in which he is at present fast bound, and no longer running at every hand's turning to his "Counsel," pestering him with questions which he would have no need to ask had a proper training during his apprenticeship taught him all that as a professional man it is fitting and necessary he should know.

We cannot think the comparatively recent legislation with reference to attorneys in this country has been originated and carried out with any great regard to the real interests of either the profession or the public, and in this respect, as in very many others, we think there is just reason to complain of the very different spirit in which Ireland is legislated for, from that in which England is dealt with.

In England every candidate for admission into the attorney profession is subjected to a preliminary examination conducted under the supervision of the Incorporated Law Society, sanctioned and recognized by act of Parliament, and a glance at the published questions from time to time proposed at these examinations sufficiently proves their searching character, and only serves to make more ridiculous and contemptible the farce which is acted here under the same name.

In many other respects the legislature has provided for the ensuring the respectability and efficiency of the English practitioner. With us, what little safeguard existed in the heavy stamp duty on indenturing has been broken down by the reduction of that duty from £120 to £80; what object was proposed by this reduction we are at a loss to conceive. As to the annual certificate duty, it has nothing earthly to do with ensuring a respectable body of practitioners. The worst man at the profession may be the best able, and the best man the worst able to pay it, and the attorney who is both poor and disreputable knows a thousand plans to evade its payment and yet carry on his schemes. The real truth is, that such care as human skill and forethought could suggest should be used to admit to practice fit men only, and once admitted each man should be left to his own energy, ability, and probity to fight his way through the great battle of life.

Drawing to the close of this paper we are strongly tempted

to wish that we had not written it, for we fear the cause which we have endeavored to support may perhaps be not yet ripe for advocacy. This fear would be stronger within us, did we not feel assured that in every man of common sense, whom we number amongst our readers, we reckon a supporter of that which his own intellect, without aid from argument or precedent, will quickly tell him is right. In no city in Great Britain is to be found a body of men excelling in intelligence, acuteness and sound sense, the mercantile men of Dublin. In none is there greater discrimination in judging between the skilled practitioner and the quack, the man of merit and the pretender, and in none can the advocate, however weak, of a just measure of salutary reform meet with warmer supporters and firmer friends.

In them, then, we trust, confident that when they speak, they will be heard with attention and respect, and though perhaps, in this particular instance, the movement should begin in the profession itself, yet once begun it will assuredly derive its chiefest momentum from the honest and earnest support of the mercantile community.

ART. III.—IRISH POETRY.

1. *Irish Popular Songs, with English Metrical Translations.* By Edward Walsh. Dublin: James M'Glashan. 1854.
2. *The Poets and Poetry of Munster: a Selection of Irish Songs by the Poets of the last century. With Poetical Translations.* By the late James Clarence Mangan. Now for the first time published, with the Original Music, and Biographical Sketches of the Authors. By John O'Daly. Dublin: John O'Daly, 9 Anglesea Street. 1855.

We were much struck on reading the following passage concerning Scotland in the third volume of Macaulay's *History of England*:—"The Gaelic monuments, the Gaelic usages, the Gaelic superstitions, the Gaelic verses, disdainfully neglected during many years, began to attract the attention of the learned from the moment at which the peculiarities of the Gaelic race began to disappear." How true, how sadly true! is this of Ireland: while the Irish was still a living language (which now, alas! it has almost ceased to be,) while it still had living pens and living lyres, while the air was still vocal with Irish song, while Irish verse was still composed, recited and remembered, while Irish monuments of antiquity were still in tolerable preservation, (comparatively speaking,) while Irish peculiarities, superstitions, national legends, and historical traditions, were still numerous and fresh; while all these treasures for the antiquarian, the philosopher, the historian, were still patent, they were disregarded: and now, when they have almost passed away beyond our reach we are striving to collect the decaying fragments of all that had been so long neglected, nay! worse than neglected, utterly despised: not merely left to die a natural death, but *hastened* towards dissolution.

It were useless now to dwell upon the causes, and they were various, that tended to this disparagement; one of the principal, perhaps, was Fashion, that most unjust, most unreasonable, and most frivolous, as well as most tyrannic of despots. Queen Anne at one time seemed somewhat inclined to give the Irish tongue a fair hearing and a chance for existence: but some interested enemies of the vernacular repeated to her a sort of fictitious phrase composed of the harshest words that could be selected, and persuaded her that it was unfit for civilized lips or ears. Long, long ago is it, that persons who knew not a

syllable of the language, and had not the most remote idea of its literature (or whether it had a literature at all) voted "vulgar" one of the most ancient languages in Europe. Antiquity is always considered to confer a value; but there was no *prestige* in antiquity for Irish, that language in which are to be traced so many etymologies which persons ignorant of it puzzle themselves to wrest and strain from Greek, Latin, Hebrew, Saxon, any thing save the mother dialect in which those etymologies would be found, simple, natural and without distortion. It was "vulgar," that language in which history, law, theology, poetry, were written, and in which instructions were given in schools and colleges, frequented by noble students from the Continent at the time that England was at best but semi-barbarous; but those to whom its history was unknown condemned it to banishment among the rustics.

For a long time it was tenacious of life in the rural atmosphere; the affection of the people for their tender and expressive language was deep and enduring: but the depressing influences were too strong, and at length it showed unmistakeable symptoms of decline and approaching death. Then men of learning and of taste began to estimate the impending loss: then exertions were made to recover and publish MSS., and to search out and preserve antiquities; but the fatal decay continued, and its progress has of late years rapidly accelerated. We ourselves think that the Famine, and the subsequent enormous emigration, by both of which such numbers of the Irish speaking population became lost to the country, by death and removal, hastened the extinction of the oral Irish tongue of which the generation that has since sprung up, know little or nothing. We remember districts in the South wherein, twenty years ago, Irish was universally spoken among the rustics, of whom numbers "had no English," and among many persons of a higher grade, who acquired some Irish (by ear, rarely by books) in order to carry on the necessary business of life. *Now*, in those same districts, Irish speakers have become rare. Who, on looking back, is not struck with the fact, that since the famine Irish has been rapidly passing away from the cottage hearth, from the fairs and markets, from the village inn and forge, and from those shops in towns where Irish-speaking assistants used to be kept for the benefit of the peasantry who frequented them. And we have constantly remarked, that since the famine we have not heard the Peasants singing, as formerly,

their Irish songs while they held the plough or followed their carts.

And now the Irish language has reached that day which the French with a felicitous expression call, The Day of Praises (*Le jour des louanges*)—it is the day of dissolution, the last day of life, the first day of death; when the dead (or the dying one) suddenly becomes dearer to our hearts than ever, most fondly loved when most surely lost—*then* all faults are forgotten, nothing but merits remembered; *then* the slightest censure appears like sacrilege; *then* not a syllable is uttered but in praise; *then* the last dying words are anxiously caught; *then* every relic, every line of handwriting, is collected and treasured; *then* comes deep, but late, repentance for every slight, every unkindness, of which we had been guilty. And thus it is now when the tongue of the mother land is silenced, or nearly so, in death; now comes *Le jour des louanges*, of merits recognized at last, of unavailing regret for past neglect, of love and value for every memento.

Among the gathered relics, we welcome, with great satisfaction the Collections of *Poems* that have been published: for the people and the language of Ireland have been especially poetic. There have been two phases of the Irish Poets; anciently,* the high born and the educated, and in modern times, under discouragement, the lowly and the unlearned, peasants, country handicraftsmen, such as smiths, tailors, weavers, &c. village publicans, "hedge" schoolmasters,—and in the catalogue may be found even blind beggars—scorn not, reader! remember Honner. While in England one or two rustic Poets (like Bloomfield, or John Clare) emerged, now and then, from the mass of population, to be admired and encouraged, hundreds of Irish Peasant Bards lived, sung, and died, unregarded by any save their humble acquaintances.

It was particularly in the Province of Munster, in the sweet South, among warm hearts, and intelligent minds, and lovely landscapes, that Irish pastoral poetry especially flourished. The temperament of the Southern Irish, ardent, excitable, devotional, imaginative, now pathetic, now humorous, was

* Royme the Poetic, brother of Mal, King of Ireland; Olioll Olum, King of Munster (3rd century); Mac Liag, secretary to King Brian Boru; Donough mor O'Daly, Abbot of Boyle (13th century) &c.

essentially poetic, and there was much to foster the tendency—the beautiful scenery, varied with noble mountain and soft valley; the innumerable rivulets, each with its own song; the wild rocks with their “eerie” echoes; the frequent ivy-clad ruins (poetry in themselves) *more* frequent in Ireland than in almost any other country; the secluded lakes; the massive Cromleacs and Cairns (and massiveness is grandeur)—all such objects had their influence on Irish Poetry, through which runs a strongly descriptive view. Then there were the romantic incidents arising from the frequent civil discords, and peculiar circumstances of Ireland; hairbreadth escapes, wild adventures, and the affecting vicissitudes of noble families: add the mythology, the beautiful fairies that* sympathized with mortals more than the elves of any other nation; the merry *Luprechaun*, a genuine Irish fairy; the mysterious Banshee shrouded from curious eyes by her large hood and mantle, lamenting, at night, in a melancholy strain half cry half song, with undistinguishable words, whenever death comes to the particular family to whose fates she is attached with a human-like love; the long-robed, long-haired *Geilt*, that haunts some lonely spot, and that is not faun nor satyr, nor spectre, nor sprite, nor demon, but a *Genius loci* peculiar to Ireland. Then there was the language, so rich in expressive epithets, and that runs so naturally into metre. Edmund Spencer (and the author of the *Fairy Queen* is high authority) caught a glimpse of the merits of Irish Poetry, even under the great disadvantage and disfigurement of a bald verbal translation: he says of Irish Poems: “I have caused divers of them to be translated unto me, that I might understand them, and surely they are savoured of sweet wit and good invention, but skilled not of the goodly ornaments of poetry; yet were they sprinkled with some pretty flowers of their natural device, which gave good grace and comeliness to them &c. &c. &c.”

The Irish Peasants were natural, involuntary, disinterested Poets: they sang from the pure love of song. When they poured forth their sorrows, personal or national, in verse, they could not “weep with the public, and wipe their eyes with the press,” as was said once of a noble English poet; they had no press, and could hope for no public beyond their

* The Irish Jacobite songs represent the fairies as deeply interested for the Stuart dynasty.

own narrow circle, nay, their verses were seldom committed to writing, save a copy or two for the composer's own use ; and depended for preservation on the memory of their admirers. No hope of fame or of gain encouraged their muse : their effusions, amatory, political, descriptive, humorous, or religious, were simply the spontaneous overflowings of the heart.

Such poets were rife while the real character of the Irish peasantry was unknown to, or misconceived by, the denizens of cities, or the visitants from other countries. These heard of the Irishman in deeds of violence and turbulence, and they saw him to disadvantage in a position where hard necessity compelled his native abilities and acuteness to degenerate into knavery and servility for the very means of subsistence in citizen-life. While the Irishman was depicted in novels and plays, as a strange nondescript, a compound of knavery and folly, ferocity and good humor, of buffoonery and servility, how few were they who could conceive the warmth, tenderness, fine feeling, and generosity of that soul of poetry that pervaded the mountains and the glens. So the beautiful features of the inland region are unknown to the mariners who never see more of a country than the ugly sea-port, their accustomed haven

But *revenous a nos moutons*, among the collections of Irish Poems introduced, by translation, to English readers, we are particularly pleased with those which, like Walsh's and O'Daly's volumes, give the original Irish side by side with the translations; they help to preserve the original, and enable Irish readers to see points and beauties which often, of necessity, lose much by transfusing into another language.

O'Daly's publication, besides containing many poems of merit admirably rendered by the late Clarence Mangan, has the additional advantage of giving short biographical sketches of the writers, and also the original airs to which the songs were set, and sometimes the different versions of the same air, thus rescuing sweet but fugacious melodies from oblivion.

Edward Walsh's book also gives the Irish text interleaved with the spirited English translations of the very pleasing songs it contains ; but not the music. In both the collections are various specimens of the muse of Andrew M'Grath, who might be called the Irish Burns. Like that gifted Scot, Andrew M'Grath had great abilities, a fund of mirth and humor, and exceeding sweetness of versification (in his vernacular) ; and unhappily he resembled Burns also in the

profligacy of his habits. M'Grath was a country schoolmaster, a native of the south part of the County Limerick. In several of his poems he celebrated the Maigh,* a river which rising in the barony of Coshlea (the most southern barony in the county), flows through some rich and beautiful scenery on its northward course to the Shannon, which it meets a few miles below Limerick. M'Grath had superior talents, but no steady principle; he carried more sail than ballast; his habits of intoxication, and his general immoralities, drew on him the ban of the clergy of his Church, and he was compelled to quit the banks of his beloved Maigh, on which occasion he wrote his *Farewell to the Maigh*," translated in Walsh's Collection. He professed himself a convert to the Protestant faith, but being discouraged in the Established Church on account of his flagrant conduct, he wrote his "Lament," half pathetic, half humorous, in which he bewailed his fate, that he could be "neither Papist nor Protestant." It is well translated in Walsh's volume. After leading for some time a wandering life, as a pedlar, in which character he received the soubriquet of *Mangaire Suglach*, or the Merry Dealer, he resumed his former vocation of schoolmaster at Knoch Ferin or (Knoch Fierna,) in the County Limerick, near Ballingarry, and continued to poetize. His Irish verse is remarkable for its ease and sweetness; his compositions are various, amatory, pastoral, satirical, bacchanalian, many are licentious. It is gratifying to say, that he became at length a penitent; and after attaining an advanced age, died sometime subsequently to 1790, at Ballinanma, near Kilnallock, (Co. Limerick) at the house of a farmer named O'Donnell, (to whom he bequeathed all his MSS.) and was interred at Kilmallock, called the "Irish Balbec," from the ruins it displays of its former architectural dignity. It is singular that in the brief notice of Irish bards of the County Limerick, in the *History of Limerick* by Fitzgerald and M'Gregor, no allusion is made to a bard so popular throughout Munster as Andrew M'Grath; though his acquaintance and poetic rival, John O'Tuomy, the Publican, is mentioned.

M'Grath made liberal use of alliteration in his poems: it showed his powers of language, it imparted a half humorous tone to his pathos, quite in character with the man: it added to the music of the rhythm, and supplied the place of rhyme

* Pronounced *Mague* (in one syllable.)

which is not natural to Irish poetry, and for which assonance of vowels, as in Spanish and Portuguese verse, is generally substituted. We have observed that in the translations made from "The Merry Dealer," his characteristic alliteration has been overlooked: we have therefore felt strongly tempted to assay, ourselves, a version of his "Farewell to the Maigh;" not as a vain rivalry with the translation published by Walsh, but merely as an attempt to bring out more prominently the alliterative feature in the "Farewell." We cannot pretend to make our version quite as literal as if it were not fettered by alliteration, but we trust it will not be found deficient in fidelity.

FAREWELL TO THE MAIGH.

FROM THE IRISH OF ANDREW M'GRATH.

Slán a' r chead ón b-caobhó uaim,

Coir Mhaige na g-caor, na g-craob, na g-cruac, &c.

A thousand farewells to thee now,
Sweet Maigh of berry, bloom, and bough,
Of gold, and gifts, and gallants gay,
Of song, and strain, and shepherd-lay.

Och hone! my heart is weary!
Game and glee gone, gone from me,
Sport and sprightliness and spree—
I'm wandering lone and dreary.

Farewell each man of jocund heart,
From Poet, Priest, and Sage I part:
Farewell the frank and friendly, free
From falsehood, fraud, and flattery.
Och hone! my heart is weary, &c.

Farewell each maiden, modest, meek,
Of clear complexion, cherry cheek;
Of lovely locks, and laughter light,
Bland, beautiful, benignant, bright.
Och hone! my heart is weary, &c.

Farewell o'er all to Aer, my pearl.
The gentle, graceful, generous girl,
For whom I'm banish'd hence—but still
She's dear to me, through pain and ill.
Och hone! my heart is weary, &c.

Faint frozen, fretful, and forlorn,
Sad, shelterless, subdued by scorn,
I brave the Northern blast alone,
On mountain rude with heath o'ergrown.
Och hone! my heart is weary, &c.

Despairing from my friends I go,
Wending my way in want and woe:
Three months I've spent in exile drear;
No welcome word nor wish I hear.
Och hone! my heart is weary, &c.

If e'er through streets I pass along,
Men like me not, I sing no song;
And women whisper, "whence is he?
What is his name? who can he be?"
Och hone! my heart is weary, &c.

Now banish'd by the Priest from thee,
Dear Maigh, thy banks no more to see,
Farewell my love, my bird! and all
The fair whose beauties caused my fall.
Och hone! my ruth, my ruin!
Too well the sweets I lov'd to sip
From flowing cup and honied lip;
And these were my undoing.

This song, in which the alliteration is not all-pervading, but running only through particular lines, cannot pretend to rival the alliterative feats achieved by some laborious pens, such as the renowned "Battle of the Pigs" (*Pugna Porcorum*) a Latin Poem published in Germany about the middle of the 17th century, consisting of 302 hexameter lines, containing 1500 words, every one of which, as well as every word of the title page, author's name and the motto, begins with a P., e.g. title, "*Pugna Porcorum per Petrum Porcinum Paraclesis pro potatore*," motto, "*Perlege porcorum pulcherrima proelia, Potor,*

potondo poteris placidam proffere Poesin."—First line, "plaudite porcelli, porcorum pigra propago." But we do not think that any language of Celtic, or of Gothic origin, is capable of the same degree of alliteration as the Latin and its congeners; the Northern pronouns and prepositions are obstacles. We have seen an Italian sonnet which we verily believe *cannot* be translated into English with the same feature as the original, viz. every single word beginning with D. This extraordinary sonnet was written by Luigi Groto, a native of Adria, who died 1585. He had quite a passion for conceits, affectations, and oddities in verse, and wrote his D. Sonnet, *con amore*, at the request of a Venetian lady who set him the task of composing for her a poetic eulogium, every word of which should commence with the initial letter of her name, Deidamia. We will transcribe it as a specimen of laborious trifling, and of a completeness of alliteration not to be attained, we think, in languages of a more masculine genius than the Italian.

Donna da Dio discesa, don divino,
Deidamia, donde duol dolce deriva.
Debboti Donna dir? debbo dir Diva?
Dotta, discreta, degna di domino!
Data ne da destissimo destino
Destatrice del di dove dormiva;
Delle dote donatoci descriva

Demostene, dipingati Delfino.
Distruggemi docilissimo desic
Di divulgati: disperoi dipoi.
Diffidato dal dur depresso dire.
Dunque, dacchè dicevol detti Dio
Dinègommi, discolpami; dipoi
Dimostra di degnarti del desira.

To return to our subject, Irish Poetry. We will press into the service our own small share of the vernacular, and translate for the reader's amusement, from our MS collections a few simple poems of Munster, that we think have not been versified in English before, at least as far as our memory serves us, for we have not at hand for reference that treasury of Irish Poetry, Hardiman's *Minstrelsy*, a valuable work now unhappily becoming scarce. We shall commence with a love song, by a person whose name we have been unable to learn, written to dissuade his beloved one from her intention of emigrating. From his calling her (in the 3rd verse) his little white sea gull, alluding to her fair complexion, he seems to have lived near the sea; the simile would not have struck an inland-dweller. From his promises in the last verse he appears to have been a young farmer in easy circumstances; and it is evident that he observed and loved agreeable country scenery; but indeed allusions to the beauties of nature are abundant in Irish songs of all descriptions, except perhaps political.

SONG, FROM THE IRISH.
TO THE AIR OF GLEAN NA OLLIAR.

ANONYMOUS.

(*Áir na n-ádhúirí b'á-luaí, dá uaíir na n-ádhúirí la, &c.*)

1.

On Monday, right early, two hours before day,
I got the dear letter was written by thee:
The blackbirds were loud, and their strain seem'd to say,
That my true love was going far over the sea.

2.

I breath'd a farewell to each now silent scene,
To the apple-trees' bloom, to the neighbouring grove,
Where oft on my shoulder her fair head would lean,
Where I press'd on her red lip the seal of my love.

3.

I breath'd a farewell to the river's smooth strand;
How oft have we sat in a boat on the tide;
My little white sea-gull I clasp'd by the hand,
And shew'd her the landscape so varied and wide.

4.

Come back to me, dearest! sole joy of my thought!
Come back to the haunts that we both lov'd so well:
Remember the nut-grove whose clusters we sought,
The bank where we rested, alone in the dell.

5.

I'll give thee a rich golden cross and bright rings,
And young sucking calves, and a herd of milch-kine:
And more—aye and better than all these good things,—
A youth with fond words and fond heart shall be thine.

John Hore, a blacksmith, a native of Dunaha, in the West of the County Clare, was patronized on account of his poetical abilities, by Charles O'Donnell Esq., of Kilkee, (Clare,) who transplanted him to the vicinity of his own residence. Hore was a man of a lively humorous turn, and of convivial habits. One All Hallows Eve, our bard joined a merry party of country folks assembled to enjoy their customary sports of the season, and drank "potations pottle deep." After midnight he set out for his own house, but was found next morning at a considerable distance from home, with his clothes torn and muddy, and his person somewhat bruised. On the same night a quantity of white oats was stolen from his yard, by some persons who were well aware that the existing circumstances promised them impunity. In order to avert the displeasure of his patron and landlord, Mr. O'Donnell, and induce that gentleman, in his generosity, to give him some oats in lieu of those that were stolen, he composed a song entitled "The White Oats," in which he merrily laid the whole blame of his escapade, and of his loss, upon the Fairies, who, according to Irish tradition, are always abroad on All Hallows Eve, galloping through Ireland. He represented the fairies of the County Cork (the most celebrated in the Island) as coming all the way from Bearhaven to do him mischief, headed by the elfin chief Finn, and accompanied by two

fairy queens, Cleena and Evall. Cleena's royal residence is at Carrig-Cleena, a tall massive, romantic rock in the parish of Glantaune, or Cahirlag, three miles N.W. of Mallow. In the rock is a wide opening which is said to lead to a large vault, which the peasantry decline to explore, believing that sounds of fairy music are frequently heard at night echoing from its deep recesses. Cleena is said to have fallen in love, once upon a time, with a mortal, a Fitzgerald of the Co. Limerick, whom she conveyed away to Carrig-Cleena in an enchanted cloud. But a beautiful girl named Ellen O'Brien, to whom he had been betrothed, learning from a soothsayer (whose aid she sought) the place of her lover's concealment, made a pilgrimage to Carrig-Cleena, and stood at the entrance weeping bitterly, and entreating the fairy queen to take pity on her sorrow. Cleena was moved by her tears and pathetic supplications, and sent forth the young chief to console his weeping love, to whom he was soon after married. The story is probably true, save in the fairy-hood of the enchantress who detained the hero of the tale for a while from his betrothed. Poor Cleena may have borne the blame in this instance as undeservedly as in the case of John Hore's white oats, which he accused her of stealing.

Evall's habitation was at Carriglea: tradition says that she was so deeply enamoured of a young chieftain of Munster, that she assumed a human form, and served in his family, for some years, as a domestic, in order to be near him.

The fairy hill of Knock Magha, or Knock Ma, is in the County Galway; there is a large cairn at the top, and it is reputed to be the abode of the elfin king, Finvar.

But it is time we should offer the reader our translation of

THE WHITE OATS.

JOHN HORE.

Ἀ συμπαράη ἄσση ! ἢ ἕαρη ὡς λεῖψρεὰς ἡμάρθεαὶ ἤσει ὑποὶ ἀπὸ
οἴθε Ὀσση.

1.

List, neighbours ! while I tell what happ'd on Hallow Eve to me;
From Bear a troop of fairies came, light, airy, full of glee.
Fine sport was theirs, since from the West to Down are thousand spots
All rich with corn, why need they take (mean prize !) my poor white oats.

2.

With Finn, their arm'd chief, they sped to Magha's fairy hill;
The deaf, nay, e'en the dead, might hear their cheers and shoutings shrill:
To feed their elfin steeds they made my stack of oats their prey;
Part through the shrubby vale was blown, part scatter'd by the way.

3.

Myself they seiz'd to mock and jeer, right glad such game to find:
They threw me up behind an elf, who gallop'd like the wind.
Like Pacolet a flying horse of wood did I bestride;
At last they flung me far from home, half dead, on Magha's side.

4.
 Cleena, the lovely fairy queen, chode with the sportive clan ;
 " Fools ! why did ye companion bring this sluggish Munster man ?
 Catch him by his black curly poll, and beat him till he dies ;
 Or let a jury sentence him to hang 'twixt earth and skies."

5.
 But sweet voic'd Evall said, " this man deserves not scorn and wrath :
 Though black his poll, his heart is fair, a mirthful soul he hath.
 If vex'd he'll satirize you all,—put back his oats again :
 Let him sit up, and give him wine, he'll sing a jovial strain."

How cleverly John Hore insinuates (through the mouth of Evall) his good qualities, at the same time hinting at his satirical talents (in terrorem) to be brought into play on provocation.

We proceed to translate a poem written by an anonymous rustic of the Co. Waterford in praise of Tourin, late the family seat of Sir Richard Musgrave, Bart., (now uninhabited and dilapidated) situated on the West bank of the Blackwater, near Cappoquin and built on the site of a castle of the aucient Anglo Norman family of the Roches. Of that old edifice, there still remains one tall tower, square, machicollated, and ivy-clad ; from its top the eye roams over a beautiful, extensive, and varied view, the winding river, mountains, woods, mansions, towns, &c. Tourin derives its name from this tower, in Irish Tuarin, a little tower.

The present possessors of the tower and its broad lands are a branch of the Musgraves of Westmoreland, a family often celebrated in the border minstrelsy for feats of arms. The first of this branch that settled in Ireland was Richard Musgrave of Wortley, whose son Christopher became seated at Tourin, and was father of the first baronet, Sir Richard (1782) who died without issue in 1818, and was succeeded by his brother, Sir Christopher, to whom succeeded (in 1826) his son, the present Sir Richard Musgrave, a man whom to know is to respect, a constant resident landlord ever anxious to promote every object for the good of his country, a consistent and sincere patriot.

The song (of whose author I can learn no particulars) was written in the time of the *first* Sir Richard who (as before mentioned), was childless, to which circumstance the wish (in the first line of the poem) for an heir alludes. In the verse is an allusion to the cyder of Tourin, respecting which we find an observation in Smith's History of the County Waterford, written about 1745, at which time Tourin was the seat of John Reeves Nettles, Esq., of whom Smith says ; " this gentleman has large tracts of orcharding near his house, and makes yearly considerable quantities of cyder, a liquor which this part of the

country is famous for. The Red Streak of Herefordshire, brought over here by this gentleman's grandfather, thrives exceedingly well in this soil."

The four verses that follow the first in the original song are only maledictions on some persons living near Tourin whom the writer suspected of stealing his favorite cat; they are unworthy of the rest of the composition, with which, in fact, they are scarcely connected, therefore we omit them in our translation.

TOURIN.

ANONYMOUS.

Ἀ κομπάρια ἀν ἀνῆα ἀν ἑυαλαβάρη ἀν ἡρὸς υἱ.

1.

Come list to me, friends, while the praise I'm expressing
Of happy Tourin, for a good man lives there;
Sir Richard's his name; on his path be my blessing,
And may there not lack of his lineage an heir.

2.

Tourin of the Trees is a fair pleasant dwelling,
The tide comes up thither and kisses its strand;
Its cyder inspires men with glee beyond telling,
Till it leaves them for dead in each ditch on the land.

3.

The harp there excites us, the cheering pipe pleases,
The barks on the river are gliding along,
Their white sails displaying to catch the light breezes;
All things at Tourin they are worthy of song.

4.

There guests crowd the full board, whose festal adorning
Doth in those gay halls to the banquet invite:
There's music and dancing from evening to morning,
And games and card playing from morning to night.

5.

With Lacqueys surrounded there coaches are going;
Briak steeds in the field are alert for the race:
There rides the stout huntaman, his mellow horn blowing;
And fleet dogs urge forward the hare in the chase.

6.

One day on the hill, as alone I was lying,
How soft from the shore came the ripples' low sound;
How sweet the loud thrush to the cuckoo replying;
While birds in the wild woods were singing around.

7.

'Twere long to relate of Tourin all the pleasures;
The dawn there is hail'd by the hounds' merry cry:
Plants, shrubs, and fair flow'rets spring up like earth's treasures,
Expanding their blossoms, delighting the eye.

8.

The palms ever-green with the rough holly mingle,
And tall branchy myrtles exalt their green crests;
Beech, ash, and rich apple-trees flourish, not single;
Wild pigeons and jays fill the boughs with their nests.

9.

The man that's stone blind *there* his sight might recover,
And martyrs and lepers from suffering be heal'd
By the scent of the sweet herbs that spread the ground over;
Such fragrance the thyme, mint, and lavender yield.

10.

The woodquests are cooling, the noisy ducks swimming,
The ass loudly brays, while he's rolling in play;
The busy bees sip where the flower-cups are brimming,
To make us their bright golden honey each day.

Before we leave Tourin, we would say a few words of the original owners of its ancient castle, for they have almost passed away from memory in the scenes where they once lived and ruled: "their place knows them no more." Their earliest ancestor of whom we have any historical knowledge, De la Roche, or in Latin, De Rupe, fought at Hastings with William the Conqueror, and had three Lordships in Wales granted to him. His son, Adam de Rupe, came to Ireland in 1170; and in 1178 built a large castle on Bandon River, called Ship Pool (and sometimes Castle Lough). His son Richard de Rupe, was the first Baron Roche of Fermoy, which dignity he obtained by his marriage with Amy, only daughter, and heiress of Fleming, Lord of Fermoy: he built another Castle, Dunderrow, on Bandon River (Co. Cork).

The 8th in descent from this first Baron, was Maurice, Lord Roche of Fermoy; he it was who built the ancient Castle of Tourin; and also erected some other castles in the Co. Waterford, viz, those of Cappelquin, Shian's Castle, not far from Lismore, and Glyn, near Carrick-on-Suir. His two eldest sons, with eight Knights of his family, were slain in England, in the wars of the Roses: his third son, and successor, Ulick, (or Alexander) was killed in A.D. 1500, by a fall from his horse; and the fourth son (who succeeded his brother) was murdered near Liscarroll, Co. Cork, in 1517; a strange fatality seemed dominant over the race at this period. But the son of the murdered man, John Roche, was surnamed "the Happy." He never succeeded, however, to his father's title; for being a very young child at the death of the latter, the Irish vassals and tenants took advantage of the law of Tanistry (which was instituted to avoid the inconvenience arising from long minorities) and chose his uncle Maurice for their head: and in the line of Maurice the baronial title, and the lands in the Co. Cork, remained till the forfeitures. John grew up strikingly handsome and accomplished; and the then Lord Deputy of Ireland offered him a Lordship if he would support the Reformation, which he declined. In 1555; he vanquished all the knights at a tilting match of thirty days duration, held in honor of the marriage of his cousin, Lady Mary Roche (daughter of his Uncle Maurice, Lord Roche of Fermoy) with James, the 15th Earl of Desmond. He excited so much admiration on this occasion that he was offered the restoration of his paternal title; but he was un-ambitious

(therefore, perhaps, "The Happy"); he thought with Claudian,
*Quid mentem traxisse polo? quid profuit altum
 erexisse Caput?*

and he refused the offer; and shortly afterwards (before he had time for possible regret) he died suddenly, still retaining his cognomen, contrary to those frequent examples which prompted Ovid's observation,

Ultima semper

*Expectanda dies homini, dicique beatus
 Ante obitum nemo supremaque funera debet.*

In the middle of the 16th century, Tourin was inhabited by the head of the family that descended from John the Happy, as their seigneurial residence; the heir apparent residing at the Castle of Glynn till the death of the possessor of Tourin.

In the great civil wars from 1641 the descendants of John the Happy were thus located,—John and Maurice (afterwards slain) at Tourin, George and Ulick (or Alexander) at Glynn, and David on a family estate in Co. Cork. They all took part with the Stuart dynasty, and fought in the contests at Lismore, Dungarvan, Cappoquin, Mothel, (Co. Waterford) and Knock Mourne. They were attainted by Cromwell and his Parliament, and lost their property, including Tourin, which passed into other hands. Of the brothers, John and George alone survived the civil wars; they retired to Flanders, and joined Charles II. in his exile, and in conjunction with their kinsman, Maurice, Lord Roche of Fermoy, they shared the scanty pay they received in foreign service with the fugitive, and most ungrateful monarch, who at his restoration wholly ignored the claims they had on him. George Roche died of wounds he had received, but left a son, James, who remembering all that his family had suffered for the Stuarts, and how ill they had been requited, being left in poverty and neglect, espoused the cause of William III., in whose army he attained the rank of colonel, and did him good service at the siege of Derry. General Kirke, who had been sent to the relief of the besieged, found his approach checked by a strong boom across the harbour's mouth. He would have sailed away in despair, but that Colonel Roche offered to swim to the city with dispatches; an arduous attempt, both from the distance to be swum, and from the fire of the Irish troops lining the banks of the river. During his progress through the water, his jaw bone was broken, and three musket balls lodged in his body; yet he accomplished the feat, and then

returned to his comrades ; but in so weak a state, that for some days he was unable to swallow, and was only kept alive by small quantities of milk occasionally put down his throat. He was awarded, in recompence, the Ferries of Ireland and fifteen of the forfeited estates, which, however, were taken from him by the act of resumption. A sum of money was voted to him in compensation ; but the funds from which it was to be paid had been exhausted previously ; his own private fortune he had expended in the cause of King William ; thus the Roches, whichever side they espoused, were sufferers by civil war. Colonel Roche was High Sheriff of the Co. Waterford in 1714 ; and in the August of that year proclaimed, at Dungarvan and Carrick-on-Suir, the accession of George I. He died in 1722 of one day's illness. His great grandson, George Roche, is still living, and resident at Woodbine Hill, near Youghal, on the Co. Waterford side ; but it is upward of two centuries since there have been " Roches of Tourin."

For the sake of variety after these historical details, we will translate an Irish love song, the author of which is unknown, but is believed to have been a native of Munster : we heard it in the Co. Waterford, and obtained a transcript of it from the memory of the reciter. We shall commence our translation at the 2nd verse of the song ; for the 1st verse, as written for us, is so irrelevant to the subject that we are inclined to think it does not belong to the piece ; but is the commencement of some other song, and was added to the one in question, either by a mistake of the transcriber, or by some of those lapses of memory that often occur in the course of oral transmission, by many lips, for many years. In the verse we reject the writer says, that the classic beauties, Juno, Venus, Flora, Pallas, and Helen, appeared to him in a dream, he awoke and found himself bewildered by that display of loveliness. But to our song.

THE LIGHT OF ERIN'S MAIDS.

So beinnig, a solur ban Eirinn ! is cuisib a dubairt ar dheir rin.

I sing the Light of Erin's Maids :
Like sunbeam o'er the hills she moves ;
No charms like her's shine in our glades ;
Whose star, nor instant loves ?
A monarch's bride she well might be :
Her voice is sweet as music's strain ;
Her blue eyes laugh with youthful glee,
I cannot live, and love in vain.

If we in Feorus' woods could meet,
I'd teach her paths o'er every height,
Through Druid vales, lone, silent, sweet ; —
I'd show her scenes would glad the sight :
Hunters, and hounds, and bounding deer ;
Brown nut-groves, orchards laden well ;
The crowded sun-lit haven near, —
Content she'd be 'mid these to dwell.

To catch one glimpse of my dear love,
 Freely to Spain, to France, I'd sail:
 Thro' damp, wild glens o'er bogs I'd rove,
 Or mournful seek the haunted* vale.—
 Would with the meteor's beam she'd write
 And tell where bides she spell-bound,—
 where?—
 No more my heart like ray of light
 She fills—ah! love is nought but care.

While gold I have, I'll fill my glass
 Where poets meet at festive board:
 My toast, her name, around shall pass,
 And verse and wine for her be pour'd.
 Her beauteous form might claim the prize
 By Paris given—what charms hath she!
 White hands, swan neck, fair brow, bright
 eyes:
 How blest the bard she crowns will be!

We do not know where the “woods of Feorus,” mentioned in the second verse are; but we conjecture that the locality is somewhere about the Cumar na ttri nuisge (cumap na ttri η-ηηηε) or Valley of the Three Waters, the confluence of the Suir, Nore, and Barrow, below Waterford; for Feoire is the Irish name for the Nore, (the woods of the Nore) and Waterford itself was anciently called the Valley of the Sun (cuap na Sneire) which accords with the mention of the harbour and the sun in the verse.

We proceed to an Irish Poet who is still personally remembered in Munster. Denis Roe (or Red-haired) Mac Namara, born in 1718, near Cratloe, Co. Clare, is said to be a descendant of the ancient family of M'Namara dating from the 10th century, whose heads were chiefs of a territory now forming the Barony of Tullagh, in Clare (where they had many castles) and who held the office of hereditary Marshals to the Kings of Thomond of the O'Brien race. Red Denis was at first brought up to the trade of a weaver, but discovering a taste and an aptitude for learning, and considerable talents, his father thought it more advisable to have him educated for the Priesthood, and he was accordingly sent to the Continent, to study theology. Being, however, expelled from his College for irregularities in his conduct, he returned to Ireland about 1738, and being wholly dependant on his own exertions for support, he became a country schoolmaster, in conjunction with William Moran, a brother Poet, at Knockbee (Co. Waterford) in a rural district between Clonmel and Dungarven. M'Namara was a good classical scholar, and taught Greek and Latin to such of his pupils as were destined for the clerical profession. Afterwards he set up a school for himself in Co. Cork (at Imokilly near Youghal), and subsequently in the Co. Waterford again. But he was a man of dissipated habits, to the support of which his slender emoluments were insufficient, and in hopes of greater

* Sleaf na η-ηεalc. The Glen of the Geilt, in Co. Kerry.

gain he resolved on emigrating to Newfoundland, which was then the great El Dorado of the adventuring Irish. He set sail, but the vessel in which he had embarked was chased by a French privateer, and obliged to return to port, and Denis landed, and resumed his former occupation as teacher.

He subsequently (but at what date we know not) professed himself a convert to the Protestant faith, conformed to the Established Church, and was appointed Parish Clerk at Mothel*, County Waterford. But in this position he became obnoxious to the reproaches of his brother poets, by whom he was so repeatedly satirized in vernacular verse, that he fled from the presence of the Irish muse, and retreated to Newfoundland, which, this time, he reached in safety.

He seems to have been of a roving disposition, for he made no less than three voyages across the Atlantic, and visited Hamburg, and made a tour in England; but finally returned to Ireland to end his days, and to re-enter the Church in which he had been brought up. Becoming blind in his old age, he was reduced to poverty, for his poetry, much as it was esteemed by those who understood Irish, was no source of profit to him: he was, however, assisted by the benevolent contributions of rural schoolmasters. He died in 1814, aged 94, and was buried in the Church-yard of Newtown, near Kilmacthomas, Co. Waterford.

He was facetious, jovial, and satirical, but could also write with much feeling and sweetness; his poems are many and various. His praise of "The Fair Hills of Ireland," written during the time of his voluntary exile, a very pleasing composition, is included in O'Daly's neat volume, together with the music, and a translation by the late Clarence Mangan.

But the specimen of M'Namara's muse we shall offer to the reader has remained hitherto untranslated, unpublished, and but little known. It is an apology for inebriation, written on the following occasion. Mr. John Walsh (sprung from an old family of English, or rather Welsh extraction, and located in the Counties of Kilkenny and Waterford) who was employed as linguist by the celebrated circumnavigator Anson, once invited our bard to dine with him, expecting some pleasant conversation from a man of his reputation for talents and learning.

* A rural Parish three miles from Carrick-on-Suir, Co. Tipperary.

† The name in Irish is *briathraí*, Briton or Welsh man.

But Denis sadly disappointed his host by drowning his brains in the goblet at a very early period of the repast which was intended to have been a "Feast of Reason." On subsequently recovering his obscured senses, M'Namara addressed his regrets and his excuses, in verse, to Mr. Walsh, adroitly commencing by reminding his naturally offended entertainer that *placability* was the characteristic of the race from which he sprung; and while acknowledging his own transgression, he palliates it by alluding to the (then) too general example of his fellow countrymen.

MACNAMARA'S APOLOGY.

Ἀ γὰρ ἡμεῖς ἦναι οἱ τοῖς πλῆθυσιν
Να μὴ πνεῖται, ἡμῖν ὅσον ἂν σὺν ἡμῖν.

Brave son of the Walahes, a race
From whose memory resentment soon
passes.

I blush for the sottish disgrace
I made at thy board, in full glasses.

Unmindful of Latin and Lore,
Forgetful of stanza and sonnet,
I drank till I reel'd on the floor,
And found a big bee in my bonnet.

But *thee* I blame not for the stain
That betel me, when common sense scor-
ning,

I staggered through street and blind lane,
A sad silly wretch, the next morning.*

The poor Gaels seem born with a thirst
Assuaged, or diminishing never;

Of evils and sorrows the worst
Arise from this drinking for ever.

They sing the choice songs of their bards
O'er goblets in publicans' houses;
'Tis pity to hear those sweet words
Profan'd amid noisy carouses.

Then hard knocks grow rife in the place;
No wonder that heads should be broken;
'Twere better the soldiers to face
Than those sticks, whether black-thorn
or oaken.

Perplexity lies on my way,
I pray thee to see me safe through it;
Forgive the mad things I might say
In the frenzy of wine—I'll eschew it.

William English, generally called Father William English, from the religious profession which he latterly adopted, was a native of Newcastle, Co. Limerick, and originally followed the occupation of country school-master at Charleville, Co. Limerick and at Castletown Roche, Co. Cork. He composed many beautiful songs in Irish, great favourites in Munster, and included in most MS. collections. He was a man of a facetious and satirical turn; and numbers of jocose pieces, "compliments," "thanks," and "replies," passed between him and a poetic Taylor, named Edward Nagle of Cork, some of which have been translated. In like manner Andrew Magrath, the merry pedlar, and his friend John O'Luomy, a publican of the Co. Limerick, also surnamed the "merry," were fond of bandying "addresses," "retorts," and "rejoinders," full of sly, but good

* We omit a verse because it contains an allusion to Adam and the forbidden fruit; and we consider "man's first disobedience and the fall" too serious a subject to be treated lightly.

humoured hints at each other ; some of these (as well as other poems of O'Tuomy and Magrath) are contained in the "Poets and Poetry of Munster," as also two songs by English and Nagle. William English at length abandoned the scholastic for the monastic profession, and became an Augustinian Friar in Cork, where he died in 1778.

The song we are about to versify in English was written during the secular life of its author ; we believe it has remained hitherto untranslated.

THE FAIR LOCKS.

BY WILLIAM ENGLISH.

Ḃḡḡ ḡḡḡḡ ḡḡ ḡḡḡḡ, 'ḡ ḡḡ ḡḡḡḡ ḡḡ ḡḡḡḡ, ḡḡḡ.

1.
One dewy morn, as onwards pressing,
I met the Fair Locks on my way :—
I stopp'd and spoke with fond addressing ;
She said, "Thou'rt losing time to stay."

2.
"I lose not time, thou best and fairest !
Thy form hath smote with love my heart :
Unless thou'lt wed me, Beauty rarest !
My life, I feel, must soon depart."

3.
"I little heed thy flattering phrases :
There was a brave youth pledged to me :
I'd shame to smile upon thy praises
When he among the dead may be."

4.
"If he forsook thee, he whose bosom
Thine eyes might melt like sunny beams,
Name him no more, thou peerless Blossom ;
Thy pride, thy worth, it ill becoms."

5.
"My Fair Locks, weep for him no longer,
Fate from thy birth decreed thee mine ;
Where wilt thou find a love that's stronger,
Or I in Munster charms like thine?"

6.
"I'll ne'er forget my gallant fellow ;
He went in righteous cause to fight ;
His heart was young, his curls were yellow ;
To none save him my troth I'll plight."

The piece we are about to translate we certainly do not select for its beauty, but for its oddity ; the whimsical complaint of a repentant bridegroom of a few hours standing. The sweetheart of a poor rustic broke her troth plight, and eloped with a man whom her betrothed considered his inferior in all country accomplishments. Many a heart is caught at the rebound : the forsaken one, determined to show the fickle damsel that she should not break his, went off in haste and married a woman for the sake of her rural riches, three cows and some sheep. Immediately after, but too late, he regretted his bonds, and vented in simple, but earnest verse, his dislike to the wife ; his contempt for the "fortune" which was insufficient to counter-balance his distaste, and his imprecations on his false love, where inconstancy was the cause of his rash and irremediable step. We do not know the name of the writer ; but surely so queer a lament has rarely been sung before Hymen had well laid down his newly lighted torch.

THE SORROWFUL MAN AFTER MARRIAGE.

ANONYMOUS.

A mbeadae ba aig an CCat, a porraeo e.

If the cat had cows she'd surely be wed;*
But he who would take them, a curse on his
head.
The foul Hag's daughter was married last
night,
And fair girls are left in a desolate plight.

To-morrow, my friends, sing dirges for me;
I've taken a spouse, and hateful is she:
And what have I gain'd to better my life?
Three cows, some sheep, and a fool for a
wife.

I can plough, sow, and harrow, and lead
the cows
Through bogs on the sweetest grass to
browse;
I could shoe a wild horse,—but my once
dear girl
Ran away from me with an useless churl.

My faithless sweetheart! ill-luck be with
you,
Sprung from a race to whom praise is not
due;
May no lowing herds be ever your own,
May you go to your grave unwed and alone.

The Poet Egan O'Reilly (sometimes called Rahilly) was the son of John Mor O'Reilly, a respectable and wealthy farmer of Slieve Luacra, Co. Kerry, though originally a native of the Co. Cavan (from Crossarlough, on the borders of Lough Sheelin) himself a poet of no mean abilities, but far surpassed by his son, who wrote numbers of beautiful pieces that enjoyed great popularity, and are still much admired by those who are able to read them in the vernacular. Two of these poems, "the Star of Kilkenny," and "the Geraldine's Daughter," are given in "The Poets and Poetry of Munster;" and the preface to that work contains a third specimen, "The Reverie," an allegorical Jacobite effusion, in which O'Reilly pathetically laments the fate of a lovely maiden (Ireland) compelled to unite herself with a churl (George II.) instead of a more worthy and more affectionate bridegroom (Charles Stuart). Egan O'Reilly received a superior education, and was a good classical scholar. The place and the exact date of his death are not ascertained, but he is known to have lived to about the middle of the last century.

The poem that we have selected to translate (believing that it has not hitherto appeared in an English version) is an Elegy that he wrote on the death of Donough (or Denis) M'Carthy, a scion of the M'Carthy More branch of the ancient and honorable family of M'Carthy descended from the royal Spanish-Irish root of Milesius, and numbering amid its ancestry Oliol Olav, King of Munster and Callaghan Caisil, King of Cashel. The M'Carthys were themselves Princes of Desmond, or South Munster, and held large territories therein, especially in the County Cork. They divided into two branches, the M'Carthy More (or great M'Carthy) and the M'Carthy Reagh. Lord Muskerry, of

* "If the cat had cows she would be married," was a common Irish proverb expressive of the readiness with which unlovable, but well portioned women, find suitors, in preference to girls more gifted by nature and less by fortune.

the elder branch, M'Carthy More, was raised in the peerage,* in the seventeenth century, to the Earldom of Clancarty; but in the Civil Wars of that century, the M'Carthy's of both lines adhered to the Stuarts; and numbers of the name forfeited their property, retired to the continent, and entered into foreign armies; the M'Carthy's More chiefly into the French, and the M'Carthy's Reagh into the Spanish. The Earldom of Clancarty was attained; but the attainder was reversed (yet without restoration of the property) by George II. in favor of Donough, Earl of Clancarty, grandson of the first Earl, who died in Germany in 1734. The dignity, however, became extinct in his son Robert, who was an officer in the British navy. He, being supported by strong interest, endeavored to procure the restoration of some of his ancestral estates, his claims to which were thought to be well founded in law; but being disappointed, he withdrew to Germany, and died there without issue. The title of Earl of Clancarty has been subsequently granted to the Trench family.

The subject of Rahilly's (or Reilly's) Elegy, Donough (*Anglice* Denis) M'Carthy of Ballea, and of Cloughroe, Co. Cork, was born in 1694; he was the son of Colonel Charles M'Carthy to whose property he succeeded on the death of his elder brother Charles. Cloughroe is about six miles W. of Cork, and Ballea is "a castle of the Tudor period, still standing and inhabited. It occupies an elevated and commanding site over the River Annabuee, about seven miles S. E. of Cork. It has, however, been so modernized as to preserve but few features of its original construction. The acclivity on which it stands, above the river, and the adjoining grounds, are so thickly planted, and the trees so closely surround it, and are of such a growth as almost to shut out the view of the castle from the glen beneath."†

Donough M'Carthy embraced the profession of arms (we believe in the Spanish Service), and is said to have distinguished himself. He is represented in the records of his cotemporaries as the perfect *gentleman*, in the original and true meaning of the word. His various accomplishments, and the refinement of his manners, rendered him an acceptable companion among the noblest, as did his literary acquirements among the most learned.

* In 1556, Donald M'Carthy More was created Earl of Clancare, in Kerry, by Queen Elizabeth; but he soon resigned the dignity, as a badge of servitude, and resumed his sept title as the M'Carthy More: his male one is extinct.

† For this description of Ballea (and for information relative to Donough M'Carthy) we are indebted to the kindness and courtesy of Mr. Wiudele, author of "Historical and Descriptive Notices of Cork and Killarney."

He was said to have been a keen sportsman, a brave soldier, a sagacious leader; dignified but frank and affable, energetic, but patient; mild, but firm; religious, charitable, and warmly hospitable. He is described as having been tall and athletic, but graceful and active, and of a remarkably handsome countenance, with a peculiarly sweet smile. It is not surprising, therefore, that he was greatly beloved by his fellow countrymen who looked up to him with pride, and who made him the subject of much verse. In 1727 he married Mary, daughter of Sir John Meade; and in 1739 he died in Scotland, aged 45. His body was conveyed home to the Co. Cork, and interred in the ruins of the Franciscan Abbey of Kilcrea (on the river Bride about twelvemiles westward from Cork) which religious edifice had been founded by a M'Carthy More, Cormac, surnamed Laidir (the Strong) Lord Muskerry, in 1465 (according to Ware). A great part of it was destroyed in the civil commotions that commenced in 1641, but the tower is in tolerable preservation, and part of the transept and arches remain. Many of the M'Carthys were buried within the Abbey, the tomb of the founder *was* in the choir; with him were interred several of his descendants, his son Cormac-og-Laidir, in 1536, Teigue (or Thaddeus) son of Cormac-og-Laidir, in 1565; Dermot, son of Teigue in 1570; and Cormac in 1616; he was the last of the Lords of Muskerry buried here, but no monument of him remains. There are, however, near the south wall two modern tombs, beneath which several descendants of the lordly race were interred; one of the tombs records that "Here lyeth the body of Colonel Charles M'Carthy of Ballea, who dyed the 20th of May, 1704;" and also, "Here lieth the body of Denis M'Carthy, Esq. who departed this life April the 2d. 1739, aged 45."

"Lethonour, valour, virtue, justice, mourn,
*Cloghrois M'Carthy liveless† in this urn;

Let all distress'd draw near, and make their
moan,
Their patron lies confin'd beneath this stone."

ELEGY‡ ON DONOUGH M'CARTHY OF BALLEA.

BY SEAN KAHILLY (OR OWEN O'REILLY.)

Orna agur eadct na h-*Cloghrois* tithian tithian

<p>1 Erin mourns her Chieftain,—weeping, sigh- ing; Royal was his blood, Milesius' son; Lone Ballea! thy Lord is powerless lying; Valiant Donough to the grave is gone.</p>	<p>2 Dark'ning anguish o'er Muskerry gathers; Ah! that land's true Chief is lost to life; Sprung from princely, from heroic fathers. He ne'er veiled his crest in warrior strife.</p>
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"Cloghrois," i.e. "Cloghroes M'Carthy."

† *Liveless*, thus in the original.

‡ Other Elegies were written on the same subject by various Irish Poets, and amongst them Daird Broderick of Co. Cork, and Timothy O'Sullivan (alias Teigue Gaelac) of Co. Waterford, a very pleasing poet though a poor peasant.

3.
Zeal, yet patience, might, and fiery daring,
Frame and spirit strong till latest breath;
Skill, mid danger, liberal hand, frank bearing.
These were his; and he is cold in death.

4.
Weep for him, his noble deeds are ended,—
Never yet that champion, good and brave,
Left his friends in peril ill-defended,
Nor th' oppress'd, the captive, shunn'd
to save.

5.
'Mid the courtly and the learned shining,
Peerless in the hunting field contest,
Pious, wise, with mildness sway combining,
Grey stones hide him now, our noblest,
best.

6.
He who in our direst strait could save us,
True M'Carthy of the waving plume,
He who judgment, help, and counsel gave
us,—
Ah! to lose him clouds our fate with
gloom.

7.
In Kilcrea, that western fane, where slum-
bers
Enough, lie the good, the brave, the
great;
Once our chieftains; now of all their num-
bers
None are left, and we are desolate.

8.
Guardians of the land, now all departed—
Mourners long the race of Nial shall be
For the last—he welcom'd, kindly hearted,
All who sought his dwelling near the Lee.

9
He, though powerful, ne'er the poor
oppressing.

Fierce with fierce men, with the feeble mild;
A'rice, malice, ne'er his heart possessing,—
Him Religion mourns, her dutious child.

10.
Gay in mien, with brow of ivory whiteness;
Tall, erect, with nimble foot he trode;
Finely formed, in manly beauty's bright-
ness,—
On his cheek through snow the berry
glow'd.

11.
Face more bland, more loving, was there
never:
Death! why could'st thou not this stroke
forebear?
Would thy power were overthrown for ever!
Thou hast left Clar-Luire* in black des-
pair.

12.
Mourn our chiefs! from Spanish kings
descended,
Mourn for him, first, best, in foughten fray;
Priests his name with prayers and blessings
blended,
Poets sang it in ecstatic lay.

13.
Ah! how sad the dirge that thus we're sing-
ing!

Ah! what grief to dwellers near this fane!
Donough's dead; and mem'ry, ever bringing
One dark thought, does but increase my
pain.

14.
Guiding star! whose light was never clouded,
Warrior skill'd! like Oscar, Fenian's chief;
Laurel'd head! now in the coffin shrouded;
Fast for thee are flowing tears of grief.

The last line of the tenth stanza, describing the ruddy cheek glowing through the fair complexion, we think very striking; the idea is taken from the brilliant appearance of the holly berry amid the winter's snow. The imagery of the red berry on the cheek is a favorite with Irish poets; we often meet with it variously expressed, in their songs. Take an instance or two in the song of "Pulse of my Heart"—

The berry and snow
To her cheek gave its glow.

In "The Maid of Ballyhaunis—"†

Thy bosom white like ocean's spray,
Thy cheek like rowan fruit's lustre.

A remarkable and amiable trait in the Irish Peasants (hitherto) has ever been a strong hereditary attachment (with but few exceptions) to the landlord, and the family of the landlord, under whom they lived, especially if of "an old stock." To

* A poetic name for Ireland, "The land of Lorc."

† The mountain ash.

them the rural tenants looked up with love and reverence; "taking a pride out of them," to use a common expression; boasting of all their good qualities mental and bodily, as if the panegyrists had themselves a property therein; mourning sincerely in their griefs, and rejoicing as sincerely in their joys. They knew by heart the pedigree and intermarriages of "the family;" each increase and decrease of the estates, the adventures, the old traditions, the romantic incidents (so rife in old Irish houses), and loved to recount them. We have ourselves listened with surprize and pleasure to some of these faithful old chroniclers of a time-honored race.

This affectionate veneration for their superiors rendered the genuine Irish peasant an aristocrat at heart, and preserved Ireland from the probability of being inundated by that levelling tide which disfigures where it flows, sweeping away the footprints of history, and the landmarks of antiquity, and obliterating illustrious names. Who can forget how Republican France broke to pieces the ancient and splendid monuments of her kings in St Denis, blotted from her map the names of her provinces so full of memories historic and poetic, Auvergne, Bretagne, Burgundy, &c., and obliterated the celebrated titles of an historical, brave, and witty noblesse. But Ireland has never been a Republic, (as England was once) the monarchical principle has ever been strong within her, cherished doubtless by the aristocratic feeling and sympathy of which we have spoken, and which we verily believe has been the cause of many virtues, the preventive of many evils.

But this hereditary feeling and sympathy must now of necessity be much diminished by the operation of the Incumbered Estates Court, which has expelled so many ancient families from their homes, and brought in so many new ones, cutting asunder the fine but firm filaments once spun between the Castle and the Cabin; and these are threads which take a long, long time to spin; once destroyed they will not be easily restored. How many of the new names will say nothing to the heart, to the memory, to the imagination of the Irish peasant; they are not in the songs of his bard, in the history of his county, or the traditions of his country.

We have been led into these reflections by glancing over many poems (by rustic pens) in the volumes before us, and in our own MS. collections; poems commemorative of persons of "gentle blood," Wedding Songs, Eulogies of the brave and the fair, Elegies on the noble dead.

Our last specimen was an Elegy ; it is suggestive of solemn thoughts, reminding us of the instability of all human possessions and advantages ; and thus it forms a suitable introduction to a religious poem, with a translation of which we shall conclude this paper. The original is (according to O'Reilly's "Chronological Account of 400 Irish Writers") by Denis More O'Daly, not indeed a Munster peasant, but Abbot of Boyle, in the County Roscommon, who died in 1244, and who was styled the Irish Ovid for the sweetness of his verse, which, however, was Ovidian in no other sense, as his effusions are all of a devotional character. In our version we have found it necessary to abridge and condense, for the original is very long, and frequently repeats ideas and sentiments.

THE LAMP.

A POEM FOR EASTER, BY DENIS MORE O'DALY.

Láiríní ríoláirí aís ríoláirí.

1.
The Lamp for Adam's race, by sinner's sight
Unmark'd ; that to a heavenly home
guides on

Whom seeing follows ; that eternal light
Is Christ, the God of mercy's glorious son.

2.
He came to shed new life and light around—
Vast was the sin of men ; they will'd to
make

Satan their king—Oh, who was faithful
found,
Till to his creatures God incarnatespake !

3.
The wound that Eve inflicted on man's race
Man could not heal—still, still too proud
are we ;

Have we with pure humility's meek grace
Duly rejoice'd this Easter morn to see ?

4.
We, form'd from earth, must unto earth
return :

To lay us in the grave, to raise again,
Belongs to God—thenwhilewe thus sojourn
In house of clay, shall Pride its monarch
reign ?

5.
Lord ! guide me to that heavenly house of
thine

Where Pride ne'er enters, Falsehood
comes not near ;

Nor he whose heart disowns thy name
divine,
Nor he who holds unhallow'd revel dear.

6.
We could no favour claim, until thy love
Sought out the lost ; we wonder and adore
Thy vast humility that from above
Descended to imbue the cross with gore.

7.
Let me ne'er slight thy blood, thou Holy
One !

Thou Crucified ! I am but sordid clay,
Yet guard me till I stand before thy throne,
When elements dissolve on Judgment's
Day.

8.
Me is Earth casting off, e'en as the bough
Casts off the leaf ; along life's road I speed
Swift, swift : if, Saviour, thee I know not
now,
Where shall I seek for mercy in my need ?

9.
God loves his creatures, wills not any die
The sinner's death : then save me by thy
might

From future woe ; direct my steadfast eye
To gaze on thee who art man's Lamp of
Light.

ART. IV.—PILGRIMS AND PILGRIMAGES.

1. *Bulletin of the Society of St. Vincent-de-Paul*. Translated from the French. September, 1856. No. IX. Dublin: Printed for the Council of Ireland, by J. M. O'Toole. 1856.
2. *Bibliothèque de l'Ecole des Chartes*. Paris: Paulin, 1839.

Towards the close of last April, after spending a most interesting day amongst the wonderful collection of curiosities gathered in the Missionary Museum, in Bloomfield-street, Finsbury, we were recounting to a Catholic friend how much we had learned from our visit to the Museum, and had stated that we believed the epoch of Pilgrims had given place to the era of Missioners. Our friend said; "I thought so last month, but I find that the Society of St. Vincent-de-Paul has organized a Pilgrimage to the Holy Land which set out last November."

Wishing to know further regarding the arrangements and design of those interested in the Pilgrimage, our friend procured for us a copy of the September number of the *Bulletin of the Society of St. Vincent-de-Paul*, and at page 360 we read as follows:—

By the direction of M. Baudon the attention of the members of the Society in Ireland is respectfully drawn to the subjoined notification of the approaching pilgrimage to the Holy Land. Some, perhaps, will be glad to avail themselves of the opportunity thus afforded of visiting, under such favourable auspices, the birth-place of Christianity.

Work of the Pilgrimages to the Holy Land.

"Letters from Malta of the 25th of August have informed us of the safe arrival off the city of Valetta of the pilgrims who left Marseilles, on board the 'Tamise,' on their way to the Holy Land. Mgr. Tamhiri, the Patriarch of Antioch, on returning from Rome, where his Grace had gone to beg the latest benediction of our Holy Father, has also taken his passage in the 'Tamise.' Mgr. will separate from the pilgrims at Alexandria, and will commence his pastoral visitations by way of Egypt.

"The latest intelligence from Syria assures us that the new voyage to the Holy Land will be effected as successfully as the preceding ones. A letter from Jerusalem of the 15th of July, written by a person in a position to be well informed, gives us the following information upon the state of the country:—

"I am happy to tell that the most perfect tranquillity at present prevails throughout the whole of Palestine, even in the district of Naplouse, where we have had some disturbances. The taxes have

been regularly paid without a single para being missing, in the six districts of the province (or *liva*) of Jerusalem. Since the 27th of last June, 1,600 Ottoman troops have been disembarked at Beyruth, to be quartered at different points of Syria and Palestine, and three Turkish steamers are hourly expected with additional troops.' This is a fresh guarantee of safety for those who are at present undertaking the journey to the Holy Places. The Committee of the Work have decided upon the organization of a new pilgrimage to Jerusalem for the festival of Christmas, 1856. It will start from Marseilles on Thursday, the 27th of November. Those who may wish to join in this pilgrimage should send in their applications to the Secretary of the Committee, 6, Rue Furstenberg, Paris, as soon as possible.

"The duration of the pilgrimage (going and returning) will be two months, of which thirty-six days will be spent in Palestine. The charge has been fixed at 1250 francs (£50) first class, and 1000 frs. (£40) second class, the entire cost of the journey."

For the further information of those who may wish to join in the pilgrimage, we give the translation of a Circular which the Secretary has addressed to those members who have expressed a wish to join:—

"*Work of the Pilgrimages to the Holy Land.*

"6, Rue de Furstenberg, Paris, Sept. 19, 1856.

"SIR,—I have inscribed your name provisionally upon the list of persons who propose to make the pilgrimage to the Holy Land in the month of November.

"If, on receiving the necessary information, you intend to render this inscription definitive, you had better make the application to me with as little delay as possible, having the goodness to comply with the following regulation, the utility of which you will, I am assured, appreciate for the good composition and the Christian success of our pilgrimages:—

"The Committee of the Work have decided, that every application for admission into one of the caravans of pilgrims organized under their auspices must be accompanied, in the case of ecclesiastics, by the permission of the bishop of their dioceses, and in the case of laymen, by the recommendation of an ecclesiastic, or if they are members of the Society of St. Vincent-de-Paul, by a letter from the Presidents of their Conferences."

"Your application, accompanied by the form above indicated, will be submitted to the Committee at their next meeting, and I shall have the honor of informing you immediately of their decision.

"I remain, &c.,

"W. BETTENCOUR,

Secretary to the Council of the Work."

"*Pilgrimage to the Holy Land.*

"Departure from Marseilles, November 27th, 1856. Length of the journey about two months, of which thirty-six days will be spent in the Holy Land.

"Cost.—First Class, on board the packets, 1,250 francs (£50); second class, 1,000 francs (£40).

"N.B.—This charge, which the experience derived from previous

voyages enables us to fix on as almost certain, embraces all the general expenses while on board the packets, and during the stay in Palestine, food included."

As we read, we smiled at the cock-tail precision of the first-class and second-class Pilgrims, ticketed off as if going to 'The Derby'; whilst the "food included" "during the STAY IN PALESTINE," was irresistible; and whilst we laughed our minds wandered away to that April morning, when Geoffrey Chaucer lay at the Tabard, and the

"—nine and twenty in a company,"
came in ready to "wenden" on their pilgrimage,

"To Canterbury with devoute courage.

The holy blissful martyr for to seke

That hem hath holpen whan that they were seke."

What could the knight have thought of a first-class ticket after having won Alisandre? How would sweet Madame Eglentine, all,

"—conscience and tendre heart,"
have thought of this programme of a Pilgrimage. To be sure Chaucer tells us—

"And Frenche she spake ful fayre and fetisly,

After the scole of Stratford atte Bowe,

For French of Paris was to hire unknowe,"

and therefore was like too many a boarding school young lady, whom French French confuses, and whom the railway guard puts in a flutter with his "Vos Billets si vous plaits?"

Doubtless the fair "Prioress" would have been lost in wonder, and yet although the Saint Vincent de Paul Pilgrimage is not so picturesque as that of Chaucer, it is in our mind far more likely to effect the end contemplated in all Pilgrimages. Yet in reading this programme of the Pilgrimage one is forced to compare our age with the past, and in doing so we are more than ever impressed with the truth that surely as times change so men change with them. When Macaulay wrote that "every bricklayer who falls from a scaffold, every sweeper of a crossing who is run over by a carriage now, may have his wounds dressed, and his limbs set with a skill, such as a hundred and sixty years ago, all the wealth of a great lord like Ormond, or of a merchant prince like Clayton, could not have purchased," * he wrote of mere

* It is to be regretted that some member of the medical profession, with ability, learning, and practice in writing like Copeland, or Corrigan, or Tailor, or Wilde, has not devoted some portion of his

material change; but in the complete mental change, the history of Pilgrimages suggested by this Pilgrimage of the

time to composing the history of the progress of medical science. Few subjects are more important, and, if properly arranged, it could be made interesting, as Whewell's *Philosophy of the Inductive Sciences*, or useful as Mackintosh's *Dissertation on the Progress of Ethical Philosophy*. Within the last three hundred years the advances in Medicine and Surgery have been most remarkable. The old prescriptions were curious, but amongst the most strange of all was that commonly known as the Doctrine of Signatures—that is, certain herbs and plants were presumed useful in curing those parts of the human body to which they bore, or were fancied to bear, a resemblance. Capillary herbs were good in diseases of the hair. Wallnuts were presumed to be a sovereign cure in all diseases of the head, from the great resemblance between them and that portion of the human frame—the green covering of the outer husk, represented the pericranium, and salt made of the husk was good for injuries to the outside of the head. The soft inner shell was like the skull, and the thin yellow skin was like the dura and the pia mater. The kernel was so like the brain that it must of necessity be a perfect remedy for all diseases or injuries of that organ. William Coles, the herbalist, writes, that the “Lily of the Valley is good to cure the apoplexy, for as that disease is caused by the dropping of humours into the principal ventricles of the brain, so the flowers of this lily hanging on the plants as if they were drops, are of wonderful use herein.” Kidney beans, from their perfect resemblance to the kidneys, were considered of great service in all urinary diseases. The yellow and purple spots upon the flowers Eye-bright, resembling the marks upon diseased eyes, the flowers were esteemed most efficacious in curing these disorders. Thistles and Holly, from their stinging the hand which touched them, were believed to be useful in curing the pricking pains of pleurisy; and the Saxifrage, from the manner of its growth, was esteemed a most powerful dissolvent of the stone. And because the cones of the pine tree resembled the front teeth, a gargle of vinegar in which they had been boiled was classed as a most efficacious remedy for the toothache. But the Doctrine of Signatures was surpassed in its absurdity by the remedies and ingredients prescribed for the cure of diseases generally.—For consumption, pills of powder of pearls, and white amber were prescribed; for this disease and also for dropsy, water distilled from a peck of garden snails and a quart of earth worms was good, and cockwater was also recommended, and was made from the water in which a cock that had been chased, beaten, and plucked alive, had been boiled. For broken bones, the oil of swallows was prescribed; this was made by pounding twenty live swallows in a mortar; a grey eel with a white belly, closed in an earthen pot, and buried alive in a dunghill, gave forth an oil which was good for the hearing; but the water of man's blood was the most famous and expensive of all the old remedies, and in the time of Queen Elizabeth was “an invention whereof some princes had very great estimation.” To make it, a strong man of a warm nature, and twenty-five years old, was to be selected and well dieted for a month with meat, spices and wine; when the month had elapsed, veins in both his arms were to be opened, and as much blood as he could bear

Society of St. Vincent de Paul is far more interesting and wonderful. Interesting and wonderful as showing how amidst

taken from him. One handful of salt was to be aded to six pounds of the blood, and this was to be seven times distilled, water being each time poured upon the residuum. This was to be taken three or four times a year, in doses of an ounce at a time; health and strength were supposed to be transferable by means of this mixture. May not the doctrine of transfusion have its origin in this custom?

The practice of surgery was still more curious.—It was necessary that a dangerous and difficult operation should be performed on Louis XIV., and several men afflicted with a like disease were carried to the house of Louvois, the Minister, where the chief surgeon, Felix, operated upon them before Fagon, the physician of the King. Most of those operated on died; and that the King might know nothing of his dangerous condition, or of the means adopted to ensure certainty and safety in the cure, they were buried privately and by night. The operation was performed successfully upon the king; but Felix was so much agitated, that a nervous tremor settled upon him for life, and in bleeding a friend on the day succeeding that upon which the king had been so happily cured, he disabled the patient irreparably. When Felip de Utre went in search of the Omeguas, from Venezuela, he was wounded by a spear thrust through the ribs just beneath the right arm. A Spaniard, who was ignorant of surgery, undertook to cure him, and de Utre's coat of mail was placed upon an old Indian who was mounted on a horse; the amateur surgeon then drove a spear into the Indian's body, through the hole in the armour, and his body having been opened, the spear being still kept in the wound, it was discovered that the heart was uninjured—thus they assumed that de Utre's wound was not mortal, and being treated as if the wound were an ordinary one, he recovered. When Henry II. of France was mortally wounded by a splinter from a spear, in tilting with Montgomerie, which entered his visor and pierced his eye, the surgeons, for the purpose of discovering the probable injury done to the King, cut off the heads of four criminals, and thrust splinters into their eyes, as nearly at the same inclination as the fatal one had entered that of the King. Ambrose Paré's chapter on poisons, and his "Strange Cure for a Cut off Nose," which we give in the words of his translator, Johnson, is remarkable:—"There was a Surgeon of *Italy*, of late years, which would restore or repair the portion of the Nose that was cut away, after this manner. He first scarified the callous edges of the maimed Nose round about, as is usually done in the cure of Hair-lips; he then made a gash or cavity in the muscle of the arm, which is called *biceps*, as large as the greatness of the portion of the Nose, which was cut away, did require; and into that gash or cavity so made, he would put that part of the Nose so wounded, and bind the patient's head, to his arm, as if it were to a post, so fast that it might remain firm, stable and immovable, and not lean or bow any way; and about forty days after, or at that time when he judged the flesh of the

the iron realities of this busy age, Faith still is active as ever, and proving of good men, that, as Wordsworth sings it in one of his most thoughtful *Sonnets*—

“Not sedentary all : there are who roam
To scatter seeds of life on barbarous shores ;
Or quit with zealous step their knee-worn floors
To seek the general mart of Christendom ;
Whence they, like richly laden merchants, come
To their beloved cells :—or shall we say
That, like the Red-cross Knight, they urge their way,
To lead in memorable triumph home
Truth, their immortal end ?”

The custom of Pilgrimages, which is discoverable in all religions both ancient and modern, was adopted by the early Christians. The country which had been the theatre of the life and death of our Divine Master was for the faithful the object of especial veneration, and the Holy City of the Jews, Jerusalem, became also the Holy City of the Christians. The Emperor Adrian essayed in vain to erect a statue of Jupiter on the site of the Resurrection, and a statue of Venus on Calvary; in vain he caused a wood in honor of Adonis to be planted in Bethlehem; these profanations, so weak and puerile, were unable to cool the ardent zeal of the Christians whom piety drew in crowds towards Judea, and whose wealth increased still more after the definitive triumph of Christianity, when Saint Helena had accomplished her celebrated journey to Jerusalem, and when her son, Constantine, had replaced by the magnificent church of the Holy Sepulchre a temple of Venus which the pagans had built there. “They hastened thither from all parts of the universe,” said St. Jerome, “the city became inundated with men of every race.” But this

Nose was perfectly agglutinated with the flesh of the arm, he cut out as much of flesh of the arm, cleaving fast unto the Nose, as was sufficient to supply the defect of that which we lost, and then he would make it even, and bring it, as by licking, to the fashion and form of a Nose, as near as art would permit; and in the meanwhile he did feed his patient with panadoes, gellies, and all such things as were easy to be swallowed and digested. The flesh that is taken out of the arm is not of the like temperature as the flesh of the Nose is; also the holes of the restored Nose cannot be made as they were before.” This translation was published by Mary Clark. London: 1678—and is at page 526 of the book, which is dedicated by Johnson to Lord Herbert of Cherbury.

immense concourse of travellers introduced into the country fearful depravity, and according to the acknowledgment of the same Father, "the Holy City became worse than Sodom."

Thus the custom of Pilgrimages encountered open hostility from several eminent men. Saint Gregory of Nyssa, amongst others, after having visited Jerusalem, was frightened by the depravity which reigned there; and being consulted at a later period on this subject, he wrote a letter in which he traced vividly the grave disorders which usually resulted from those remote excursions, and by which we can form a melancholy idea of the manners of his era:—

"A woman," said he, "could not undertake so long a journey without a protector. The natural weakness of her sex required that she should be assisted in mounting and dismounting from her horse. It was necessary to sustain her during the difficult passages she had to endure. A friend or a mercenary should be employed to render those services; she was therefore unable to avoid censure; and whilst abandoning herself to a stranger or a servitor the laws of chastity were violated. Think you then that the Holy Spirit abounds amongst the inhabitants of Jerusalem, or that he abides with us? As for me the only thing I can relate of my travels, and I have been taught it by contrast, is, that our own countries are far more holy than those more distant. You therefore who fear the Lord, praise him where you dwell."*

Saint Jerome was far from coinciding with the opinion of Gregory of Nyssa; he, however, who dwelt at Bethlehem could not consequently take so disinterested a view of the question; he repulsed, with his habitual earnestness, the attacks of Vigilantius who maintained that instead of sending alms to Jerusalem, the faithful would do better by assuaging with this money the miseries of their own country.†

* *Περὶ τῶν ἀπικόντων εἰς Ἱεροσόλυμα* Opp. S. Gregorii, 1638, in folio, t. III p. 651. This letter has been reprinted in the *Ἀταρχία* of Coeā. Such also was the opinion of Saint Augustine; "The Lord," wrote he, "has not said, Go to the East and seek there justice; sail to the West in order to receive pardon of thy sins;" and elsewhere, "Do not undertake long voyages. Charity alone and not travelling, will lead thee towards him who is everywhere."

† This custom had its origin in Judaism, as proved by a letter from Augustus authorising the Jews from all the provinces of the empire to bring into this city money for the service of God. See Josephus, B. xvii, ch. 10.

"If I reply to these things," said St. Jerome to him, "thou wilt cavil with me and say, I plead my own cause, and that if thou didst not come to Jerusalem to dispense thy money and that of thy patrons we should all die of hunger."*

In spite of the invasions of the Barbarians, and notwithstanding the conquests of the Saracens, the Pilgrims continued to resort in crowds to Palestine. The amicable relations between Charlemagne and the Caliph Haroun-al-Raschid, the benefits he heaped on the church and the Christians of Jerusalem gave birth at a future period to the traditions which represented him as having himself undertaken an expedition into Palestine.†

It was about the tenth century that Pilgrimages to the East became particularly frequent, and the concourse of people from the West towards this far off country prepared the mind for the Crusades which followed a century later.‡

In the eleventh century pilgrimages became altogether the fashion. We might then behold kings, princes, prelates, and the most powerful nobles, repairing with a numerous retinue, some to Rome or to Saint James de Compostella, others by Constantinople to Jerusalem.

From every region of Christendom, despite the countless toils and dangers of the way, we discover hastening in the same direction, all whom their eminence, either in power or in knowledge, enable us to discern amidst the gloom. Gerbert d'Aurillac—afterwards Sylvester II.—visits Rome in his youth, A.D. 968, and there added to his store of learning—St. Berward of Hilderheim went to Rome. King Robert, the founder, we may say, of the Capetian dynasty, went thither as a pilgrim a short time before his death. Of the Anglo Saxon

* *Liber contra Vigilantium*, Opp. verone, tom. II. col. 399-400.

† See *Recueil de l'Academie des Inscriptions, Histoire*, vol. xxi. p. 149.

‡ In 999, the same year he was raised to the pontificate under the title of Sylvester II., the celebrated Gerbert addressed to the universal Church, in the name of the afflicted Church of Jerusalem, a touching letter, in which he implored the aid of the Christians against the tyranny and oppression of the infidels. This letter caused a powerful sensation, felt through all Christendom, and its immediate effects (or result) was to encourage powerfully the attacks directed by the Pisans against the Saracens of Africa. It was thus a French voice which was the first to call Europe to the deliverance of the Holy Land. See *Recueil des historiens de France*, t. x. p. 426.

kings, we need not speak. They were renowned for their pilgrimages to his tomb, and for their devotedness to the see of St. Peter. The acts of the Irish saints abound in proofs that in this practice of devotion, they were not left behind by the saints of the other Christian countries. Each aspired to make the pilgrimage, once at least in his life.* From the Irish annals we learn that the same practice prevailed amongst the laity. We meet the royal chieftains of the two opposite extremities of the island—O'Neil and O'Brien—at Rome at the same time: and we are told that they were accompanied by a great number of subordinate chiefs and followers. From Scotland also—a little further on, but still within this period—we meet with another extraordinary personage at Rome. "The King of Scotland, MACBETH, being at Rome," writes the ancient annalist, "distributed money in handfuls to the poor."† Much earlier we meet with Canute the Great at Rome. He will speak for himself and for the effects of those visits to the capital of the Catholic world, upon the minds and after conduct of those who made such tours, even in that iron age:

"Canute, King of all Denmark, of England, of Norway, and of part of Sweden, to Egelnoth the Metropolitan, to Archbishop Alfric; to all the bishops and primates; and to all the English nation, nobles and people, who are subject to my dominion. It is long since I bound myself by a vow to make this pilgrimage; up to this time, however, affairs of state and other obstacles were in the way; but now, at length, I humbly return thanks to the Almighty God who has allowed me, for once in my life, to visit his blessed Apostles Peter and Paul, and all the holy places both inside and outside the walls of Rome, and in person to pay them honour and reverence. This I have done; because from wise men I have learned, that St. Peter received from the Lord, the great power to bind and loose, and that he is the key-bearer of the celestial kingdom. Behold why I have thought it greatly to my soul's health, to solicit in a special manner his advocacy before the Almighty.

"Know, then, that during the Paschal solemnity, there was

* Vid. Colgan, *Acta Sanct. Hiberniæ*, &c. pp. 105, 107, 118, 119, 796, 798, &c. &c.—*Mabill. Act. Ord. Benedict.* l. i. p. 293.

† A. D. 1050. Rex. Scotiæ, Machetad, Romæ argentum seminando, pauperibus distribuit, Marian. Scot.—*Tytler's History of Scotland*, vol. ii. p. 284.

held here a grand assemblage of illustrious persons, to wit : with Pope John and the emperor Conrad, all the princes of the nations from Mount Garganus to the sea, which is not far from us.* They all received me with marks of distinction, and honoured me with costly presents. From the emperor particularly, I have received vases of gold and silver, rich fabrics of the loom, and different sorts of robes of great price. I took that opportunity to confer with the emperor, our lord the Pope, and the princes who were there, concerning the things that touched the interests of the people of my realms, as well English as Danes. I have endeavoured to secure more just treatment for my people, and security in their journeys to Rome; and above all, that they be not for the future, retarded by so many barriers, or harassed by so many iniquitous tolls and exactions. The emperor has yielded to my demand, as also has King Rudolph (of Burgundy), who holds the principal passes of the mountains.† All this has been ratified by the other princes, so that henceforward there will be every security and no extortion at barriers for my men, whether merchants or pilgrims, in going to Rome or in returning.

“To the Lord Pope also I complained, manifesting grave displeasure on account of the enormous sums of money exacted from my archbishops on coming to the Apostolic see, according to ancient custom, to obtain the pallium. It has been decreed that such shall not be the case for the future. In fine, all that I have obtained for the advantage of my people, whether from our Lord the Pope, from the emperor, or from King Rudolph and the other princes through whose lands the way of my subjects lies to Rome, they conceded to me with great good will, and confirmed the same upon oath under the attestation of four archbishops, twenty bishops, besides a multitude, innumerable, of dukes and nobles who were present. For all which favours my thanksgiving to the great God are unbounded, for that He has granted me to succeed in all my projects, which I had so much at heart.

“Know, therefore, that I have now made a vow to God to

* i. e. From one shore of Italy to the other. Monte Gargano is on the Lower Adriatic.

† Of the new Capetian dynasty of France, or rather of Paris, Canute takes no notice : its power was up to that period but a shadow of its rising grandeur.

lead an exemplary life ; to govern according to the rules of justice and piety, the realms and the people submitted to me ; and on all occasions to hold to equity in judgment. In pursuance whereof, I adjure my ministers to whom I have confided the government, and I command them, as also the viscounts and magistrates of my realm, as they would preserve my favour or escape perdition, no more to be guilty of injustice, either towards rich or poor. Let all persons, whether noble or ignoble, enjoy their rights according to the law, from which there must be no deviation, either from fear of the sovereign, or from men high in power, or with a view to replenish my treasury ; I do not wish for treasures levied by injustice."

Hakim-Biamrillah, caliph of Egypt, having in the year 1010 caused the Church of the Holy Sepulchre to be destroyed, thereupon, according to Raoul Glaber, numbers of the faithful hastened from all quarters of the world to Jerusalem, contending with a noble rivalry to restore by their donations the house of their Lord. The Normans, said he elsewhere, sent the most magnificent and the richest donations to the Holy Churches. Every year might be seen monks from the famed Mount Sinai coming to Rouen and returning laden with gold and silver. Richard the Second sent to Jerusalem one hundred livres of gold for the Saviour's Sepulchre, and aided with rich presents all those who through devotion desired to make a pilgrimage to the Holy City : farther on he adds, none could ever anticipate such a prodigious concourse as now repaired to the Holy Sepulchre ; at first the lower classes, then the middle class, subsequently the most powerful monarchs, counts, prelates, in fine, persons who had never before ventured ; many women both noble and poor undertook this pilgrimage.*

The conversion of the Hungarians and of their King Stephen, which had taken place before the tenth century, gave about that period a fresh impulse to those far distant voyages. Raoul Glaber informs us that from this time all the Pilgrims from Italy and Gaul who desired to visit the Holy Sepulchre, instead of repairing by sea as had been formerly their habit, now went through Stephen's kingdom. This Prince very soon rendered their route both pleasing and secure. He welcomed

Raoul Glaber, t. iii. ch. 7 ; t. 1, ch. 5, t. iv. ch. 6.

as brothers all those who presented themselves before him, and made them magnificent presents. Both nobles and men of inferior station resorted in crowds to Jerusalem as Pilgrims.*

Amongst the celebrated pilgrimages executed in the eleventh century we may mention those of William Taillefer II, count of Angoulême, with an innumerable suite of lords and abbés; that of Foulques Nera, count of Anjou; of Robert the Magnificent, duke of Normandy; of Robert le Vieux, count of Flanders, others. The chroniclers are pleased to surround the life of Foulques at Jerusalem, during his first voyage, with the most singular circumstances.†

According to them, the Count could not obtain permission to visit the Holy Sepulchre but by means of a strange device. "The Count," as related by the chronicles of the Counts of Anjou, "offered a large sum of money to be permitted to enter, but the Saracens would not consent unless the Count would do what the other Christian princes had done. The Count had so ardent a desire to enter that he promised to do whatever they exacted from him. The Saracens then informed him that the penalty enforced was an obligation on his part to swear that on entering he would perform a revolting sacrilege on the sepulchre of his God. The Count, who would sooner have died a thousand deaths than be guilty of so disgusting a desecration, was still conscious that on no other terms would he be permitted to enter the holy place, and visit that glorified spot for the accomplishment of which he had encountered so many perils, and travelled so far to behold. He therefore consented to their terms, and it was arranged between them that he should enter the next day. He did enter, and by a stratagem was able to kiss the tomb without committing the desecration. Upon approaching to kiss the sacred place the divine clemency shewed how acceptable had been the holy zeal of the good Count, for the stone of the Sepulchre, heretofore so hard and solid, became to the kiss of the Count soft and flexible as wax melted before a fire, and he was enabled to bite off a large piece and carry it away without being perceived by the infidels."‡

* Raoul Glaber, t. iii. ch. 1.

† He went three times to Palestine, in 1015, in 1036, and in 1039. He died at Metz on returning from his third voyage.

‡ Quoted by Michaud, *Hist. des Croisades*, t. 1, Pièces Justificatives.

A vow made in a fit of devotion, or in a case of imminent danger ; * a vision ; the reading of a passage in the Bible, which they considered as a warning from Heaven ; the desire of bringing back relics ; such were in general the motives which induced Pilgrims to undertake voyages to the Holy Land. Amongst the men led by sincere piety to Palestine, many sought it in the hope of meeting their death there ; some, however, lost courage on their way and hastened to return to their own country ; others on the point of receiving that martyrdom they had so long ambitioned, were seized with sudden terror and sought to evade the danger. St. Udalric, after bathing in the Jordan, had not time to dress himself when he saw a troop of Saracens rushing towards him and uttering menacing cries. "The servant of Christ," says the hagiographer, "though desiring in his heart the palm of martyrdom, was still borne away by the weakness of human nature and took flight with his companions."†

It is, however, but right to add, that by far the greater number of Pilgrims whom devotion drew to the East bore cheerfully the miseries and privations they had to encounter in this inhospitable country. When the companions of Saint Heimerad, who accomplished his pilgrimage before 1019, came to ask him, "What shall we eat to-day ? our wallets are empty, and to-morrow we shall be obliged to fast," the Saint, says the hagiographer, was accustomed to reply, "Let us fast then to-day, that we may have something to eat to-morrow."‡

Raoul Glaber has left us a curious specimen of the religious delight which occasionally animated the pilgrim. "A Burgun.

* Vows made by a father were frequently accomplished by his children ; such was, for example, the pilgrimage performed after the year 954, under Lothaire the II, by a Knight named Josselin. His father, a powerful baron, had made a vow to go to Palestine, but not having executed his design, charged his son, Josselin, at his last hour to fulfil his engagement. He, notwithstanding his piety, had altogether neglected obeying his father's mandate ; when grievously wounded whilst combating the Helvetians, and left for dead on the field of battle, he was removed to a Chapel dedicated to St. Anthony. There the Saint appeared to him, reproached him with his want of faith, and having restored him to life, commanded him to go seek his relics in the East and bring them back to France. This pilgrimage is reported at length in the collection of the Bollandists, January 17, t. ii. p. 153.

† Bollandists, July, t. iii. p. 157.

‡ Leibnitz *Rerum Brunswicens script.* t. i. p. 67.

dian named Lethbaud" writes he, "was going to Palestine with several others. When he saw the holy places and ascended the top of Mount Olivet, he prostrated himself with his face to the earth, and his arms extended in the form of a cross. He shed a torrent of tears, and felt his soul replenished with an ineffable ecstasy which elevated him to God. He raised himself some time after, elevating his hands towards Heaven, using every effort to raise himself in the air whilst expressing in these words the desires of his soul: 'Lord Jesus,' said he, 'you who have vouchsafed to descend from the throne of your majesty, on this earth for the salvation of mankind, you, who from this holy place departed from this world under a human form to return to that Heaven whence you came, I supplicate you, in the name of your all powerful goodness, if my soul is destined to separate this year from my body, grant me the grace of departing hence, that I may die within sight of that spot which witnessed your glorious resurrection, in order that as my body desired to follow you in thus visiting your tomb, my soul might perhaps in its turn attain the greater happiness of following you without an obstacle into paradise.' After this prayer he returned with his companions to the habitation of their host. They went to dinner. The others having placed themselves at table, he went gaily to lie down, preferring to take some repose, as he appeared to be overpowered by sleep, which was not slow in approaching. They were ignorant of what then appeared to him, but he cried out immediately, 'Praise to you, my Lord! Lord, glory to your name!' His companions hearing him, wished him to join in their repast; but he refused, and turning on the other side complained of indisposition. He remained thus in bed till evening, and then having summoned around him the companions of his voyage received in their presence the holy viaticum, the vivifying Eucharistic bread of angels, sweetly saluted his attendants, and rendered up his spirit. Verily he had not travelled to Jerusalem through vanity as so many others had done, who only engaged in the enterprise that they might be honored on their return; thus God the Father would not refuse the favor demanded of him in the name of Jesus his Son. We have gathered these details from the mouth of the companions of Lethbaud, who related them to us when we were at the monastery of Beze."*

* Raoul Glaber, t. iv. ch. 6, Collect Guizot, t. iv. p. 315 and following pages.

The pilgrimages were not all voluntary. They were often imposed by the church in expiation of some transgression. There were two species, the first (*majores*) were those of Jerusalem, of Rome and of Saint James of Compostella; the others (*minores*) were the pilgrimages accomplished in the interior of France. The first pilgrimage in Palestine which to our knowledge had been imposed canonically was on an inhabitant of Gaul; he was one of the persecutors of Saint Léger, Duke of Champagne.

Towards 1052 a kinsman of Godwin (father of King Harold) named Sweyn, having taken away a nun, and committed murder in a fit of passion, condemned himself in expiation of this double crime to travel barefoot to Jerusalem; he accomplished this pilgrimage, but died shortly after his return. In 1174, Henry II. having abandoned the murderers of Thomas à Becket to the judgment of the spiritual court, they were obliged to repair to Pope Alexander III. who commanded them to make a pilgrimage to Jerusalem, and according to Guillaume de Nangis, some of them, nearly all, died on the voyage.

When the peace was concluded, in 1230, between Louis IX. and his barons who had revolted, "the barons stipulated with a unanimous voice," according to Matthew Paris, "that the Count de Champagne, the principal author of the quarrel, should take the cross and set out for the Holy Land to do battle there with one hundred knights against the enemies of Jesus crucified." It was only in 1239, that the count accomplished this penance.

Guillaume de Nogaret having been excommunicated for his conduct towards Boniface VIII. whom he had arrested at Agnani in 1303, was sometime after exonerated by Clement V. from the sentence under which he lay. "The pope," said Guillaume de Nangis, "enjoined on him for penance the obligation of embarking in his own person with his arms and horses to assist the Holy Land in the first general expedition, and to remain there for ever, unless he should in the course of time obtain through the favor of the pope or his successors the grace that his exile should be abridged. It was also enjoined on him to accomplish certain pious pilgrimages imposed. Thus the Pope declared him absolved from all the violence he had offered to Pope Boniface on condition that he accomplished devoutly those pilgrimages whilst he lived, and that at his death, he made the pope his heir."*

* Guillaume de Nangis, Anno. 1310.

In the sixteenth century pilgrimages were still considered as expiations for great crimes, and according to Brantôme, Montgomery, the involuntary murderer of Henry II., "was obliged to traverse and explore on ten or twelve occasions the most rude and barbarous countries, to perform there his penance instead of dwelling so delightfully at Venice in the charming and pleasant habitations of the Venetians."*

The ecclesiastical authority frequently imposed pilgrimages to Jerusalem for a political purpose, to remove disturbers of the public tranquillity, or turbulent nobles who were perpetually disputing with their bishops. This was the penalty inflicted on those violators of the truce with God, and assuredly the place of exile was well chosen, for they seldom returned from this remote land, which, according to the representation of an English chronicler, *possessed the privilege of devouring its inhabitants*; and if the exile was fortunate enough to survive the fatigues and dangers of a first voyage, he most commonly sunk under the second, or died from exhaustion on his return to his native land.

Exile to the Holy Land was in certain localities aggravated by a singular penance, which existed from the very earliest period amongst the people of the centre of France, according to the relation of the miracles of Saints Florian and Florent, and which probably owed its origin to some religious custom of the Gauls. When a man had killed with iron one of his near relatives, and had confessed his crime, the bishop, with the material of the sword with which the murder had been committed, had chains forged, attached to the neck, waist, and around the arms of the culprit, who was then driven out of the country, and thus manacled was obliged to visit consecutively Jerusalem, Rome, or other consecrated places, previous to obtaining pardon. Under the two first generations, at a period when the ties of blood were so little respected, this penance, worthy of a barbaric age, was obliged to be frequently applied. We find, in effect, in the records of a Chapter held at this period, the formal prohibition of this wandering: "these mischievous men who tell you that they have been enjoined to wander thus; if they have committed some serious and isolated crime," said the legislator, "it would be better they remain in the same place, toiling laboriously, and accomplishing usefully the canonical penance enjoined on them."

* L. ii. ch. 73, edit. du Panthéon, t. i. p. 313.

Towards 855, a Frank noble, named Frotmond, having with the assistance of his brothers assassinated two personages of his family, was condemned with his companions and accomplices to be laden with chains and wander over the entire world. During seven years he traversed Europe, Asia, a part of Africa, visited Rome three times and Jerusalem twice, and finished by returning to die at the monastery of Redon, near Rennes.

The frequency of pilgrimages carried in its train innumerable disorders, and led to serious annoyances in the affairs of families. It happened very frequently that pilgrims whose voyage was a little prolonged found their wives married on their return. The case where the man re-married during the absence of his wife was of more rare occurrence, for a wife dare not expose herself to the dangers of such a voyage without the protection of her husband. In order to remedy as much as possible these inconveniencies, the council held at Rouen in 1072, issued a decree by which they declared any woman excommunicated who re-married during the absence of her husband on pilgrimage without having ensured (a very difficult matter to establish at that period) the certainty of her first husband's death. The eleventh canon of the council of London in 1200, prohibited married persons from undertaking a long pilgrimage unless they made a public notification.

Public morals received still severer blows by the frequency of those pilgrimages. In a letter which recalls that of Gregory of Nyssa, St. Boniface complained bitterly in 747 of Cuthbert bishop of Canterbury, for having permitted the frequent voyages of women and religious to Rome. "I cannot conceal from you," writes he, "the disgust which is felt here towards the servants of God. The honesty and purity of your church is decried, and the only remedy you have is to issue a prohibition from the council and your princes against nuns or women travelling to Rome. The greater number of them have fallen, and few have returned with their chastity. There is scarcely a town in Lombardy or in Gaul where there may not be found English adulterers and prostitutes. This is a shame and scandal to the entire church."*

It is worthy of remark that at this period the inhabitants of the British Island had acquired this humor of vagabondising, which dispersed them every year over the entire surface of the

* *Epist.* 105, Labbe, Collection des Conciles t. vi. col. 1569

globe. "The habit of making pilgrimages," states a writer of the ninth century, "has become almost a second nature with the Scotch."

The civil and ecclesiastical authorities sought to oppose these continual wanderings, so well calculated to encourage the vagrant tendencies which possessed so many attractions for the lower classes of a society constituted as were those of the middle ages.

After the eleventh canon of the council, held at Chalcedon in 451, the poor and the pilgrims, in order that they might receive hospitality on their route, were to be provided with a Letter of Recommendation,* attesting that the bearer belonged to the Catholic Communion.

There has been found in a collection of formulas which appear to be of the seventh century one of those letters, the tenor of which we give in the following translation:—

"To the Saints, apostolical and Revd. Fathers in Jesus Christ, Kings, Counts, Bishops, Abbots, Priests, Clerks, and to all the Christian servants of God in the monasteries, the cities, towns, and countries, I, the intendant of the house, called in God * * We address to you this letter, that your mightiness (or your holiness) may know that our brother * * your servant has demanded permission from us to go pray for his sins and ours, at the basilica of St. Peter your father. It is for this purpose that we address you these letters through his intervention, and freight them with salutations for you, in order that for the love of God and of Saint Peter he might receive from you hospitality, succour, and consolation, and be enabled to go and return safe and sound, &c." †

One of the Canons of the Council held at Chalon-Sur-Saône a year before the death of Charlemagne, in 813, contained the following passage: "Men deceive themselves considerably who alleging motives of piety resort without reflection to Rome, Tours, or elsewhere. There are Priests, Deacons and other members of the Clergy, who living in riot and excess, imagine they are purified from their errors and acquitted of their duties by visiting those holy places; there are also laics who

* See on these Letters, *Histoire Ecclesiastique*, t. vi. ch. 16—according to the sixth Canon of the Council of Tours, in 566, the bishops only could give these Letters of Recommendation.

† *Charta Tracturia*, Marculfi Monachi formulæ veteres, 1666, in 4to. p. 228, see also p. 124, *Tracturia pro itinere peragendu*.

by going to pray there, conceive they get an immunity from their sins. There are powerful men who, on the pretext of a journey to Rome or Tours, levy tributes, amass riches, oppress the poor, and make cupidity their sole aim, coloring all with a pious motive." In fine, as the Pilgrims recruit themselves alike among the travellers and the vagabonds, the same Canon adds, "The poor offer the like reasons in order to have a greater facility in begging. We therefore deem it necessary to demand from our lord the Emperor, the means of remedying these abuses."

After the eighth Canon of the Council of Rouen in 1189, no clerk was permitted to leave his parish, either for the purpose of study, or to make a pilgrimage, without permission from his Bishop.

Whilst essaying to repress vagabondism, every effort was used to protect true pilgrims. "No one," said the edict of the Bavarians, "shall dare to incommode strangers or do them a wrong, because some are travelling for God, others from necessity, and the observance of peace is necessary towards all."

The fourth Canon of the Council of Metz in 756, prohibited the exaction of any species of tribute, either for themselves or the luggage of any pilgrims repairing to Rome or elsewhere, of arresting their passage at bridges, flood gates, ferry boats; any one doing them an injury, was obliged to pay a fine of sixty sous, as an amende, one half being given to the pilgrim, and the other to the King's Chapel. The Council of Narbonne in 1054, contained nearly the same injunctions.

The sixteenth Canon of the Council of Leteran in 1123, excommunicated those who dared to pillage or annoy by exactions any of the pilgrims repairing to Rome or any of the other places of devotion.

These measures proved not, however, very efficacious. The routes, which, during the firm administration of Charlemagne, had been so secure, became after him less safe than ever, and we know too well to what horrible robberies and depredations they were exposed, during a long series of centuries; having no desire to insist on this point, we will merely cite here the following fact recorded by Guibert de Nogent. "They had there a man profoundly wicked, a serf of the Church of St. Vincent, at Laon, for a long while officer and overseer of Enguer-

rand de Cuey, in receipt of the toll demandable for the passage of the bridge of Sourdes. He frequently plundered the poor travellers, and after stripping them of all they had, he precipitated them into the waters, engulfing them in its flood, to put it out of their power to raise any complaints about him. God alone knows how frequent were those things done by him.*

"Men clad in iron," said Jacques de Vitry, "infested the public roads, and spared neither pilgrims nor the religious; not fearing the judgment of God, they became corsairs and pirates, robbing the pilgrims and merchants on sea, and after burning their ships they hurled the pilgrims into the waves."†

The pilgrims on very many occasions set out without money or provisions; thus the dangers and obstacles they encountered on their way, and the fatigues to which they were exposed, soon created a necessity for the foundation of establishments destined to provide them with shelter and nourishment. An hospital was annexed to all the monasteries, to which donations were given altogether for this purpose, and it was several times expressly prescribed by the Council and the Chapter to welcome with charity pilgrims and travellers. "The priests ought to know," said a Chapter "that the tithes and offerings which they receive from the faithful are the pay of the poor, and that they ought to use them, not as their own goods, but as a sacred deposit which has been confided to them."‡

The hospitality dispensed in the convents brings back to our minds the hospitality of the ancients. According to Gregory of Tours, Sunniulphe, abbot of the Monastery of Randan, at Clermont, (Auvergne) washed and dried, himself, the feet of strangers. "Neglect not," said the rule of the celebrated Abbot of Fulda, "to receive pilgrims and to wash their feet. But when they present themselves, according to the practice and custom of our ancestors, make them welcome with kindness and charity, and employ the brothers in washing their feet."§

The hospices were ordinarily placed either outside the cities, that the belated traveller should have no difficulty in reaching an asylum, or on the river side, in places where no communication existed between one shore and another, or in the moun-

De Vita sua, t. III. ch. 9.

† *Historia occidentalis*, ch. 3, 1596, in octavo, p. 266.

‡ See Canciani, *Leges barbarorum antiquæ*, t. iii. p. 150 and 343.

§ Canciani, t. iii. p. 360.

tains, leading to the most frequented places. Such, as at the present day are the Great and Little St. Bernard, at the Simplon, and at Mont Cenis; the antiquity of the foundations of these institutions admits of no doubt. Thus, in the eighth century, Adrian the First, strongly recommended to the generosity of Charlemagne, the hospices which were situated in the chain of the Alps. In the following century the hospice of Mont Cenis was founded by Louis the Débonnaire, who endowed it with rich revenues; and Louis II. sent deputies into Italy ordaining by a chapter dated 855, the restoration of all the hospices built in the mountains or elsewhere.*

Those of the Alps were of especial use to the pilgrims who came from Gaul, desirous either to visit Rome, or gain some port in Italy where they could embark for the East; but for the pilgrims whose course was directed towards the Holy Land, a route by land to Constantinople was preferred, when the passage was open to them by the conversion of the Hungarians. They founded hospices almost up to the capital of the Greek Empire, where amongst other establishments of this kind was the hospice of Samson, which existed until the sixteenth century. Once arrived in Asia, the pilgrims, martyrs to fatigue and the most cruel privations, were yet exposed on the part of the infidels to all sorts of vexations and dangers. In the eighth century, St. Guillebaud and seven other pilgrims, his travelling companions, were arrested as spies at Emesa and cast into prison. Delivered with great difficulty, thanks to the intervention of two Christians, inhabitants of the country, they were obliged to separate and travel two and two, as they bore letters of safe conduct which had been granted them by the governor of the city. It was absolutely necessary for them to be provided with these passports which described them as pilgrims, and pointed out the purport of their journey. Those who, without being provided with passports, presented themselves before a certain fortress of Mont Lebanon were arrested and conducted to Tyre. The account of a pilgrimage undertaken in 870 by the French monk, Bernard, contained other details relative to these letters. He writes:—

“At Bari” (a town then in the power of the Saracens) “we procured permission to sail (by means of two letters)

* Muratori, *Antiquitates Italiae mediæ ævi*, dissertatio xxxvii. De hospitalibus peregrinorum, t. iii. p. 553.

which gave the description of our persons, and represented to the Prince of Alexandria and Babylon the object of our voyage." Arrived before Alexandria, Bernard was obliged to pay six pieces of gold to the captain of the ship, to obtain permission to disembark; then he and his companions were obliged to pay thirteen deniers to procure new passports, which at Babylon (old Cairo) did not hinder their being thrown into prison. They were delivered at the end of six days, after having had to pay anew thirteen deniers each; and although having received new letters empowering them to travel without further exactions, this was of no avail, as money was extorted from them in every town through which they passed, forcing them either to purchase a new passport, or pay for affixing a seal on the old.*

These vexations were very trivial, when compared with the innumerable dangers which threatened the pilgrims, when Palestine was subjected to the caliphs of Egypt, then to the Turks, and the picture that Urban II. drew of their sorrows at the council of Clermont moved deeply the hearts of his auditors.

"What shall I say," cried he, "of those who, depriving themselves of all, and trusting in their poverty, undertook this journey, conceiving that having nothing to lose but their bodies, they were thus secure. The infidels, however, not satisfied with this, subjected them to the most horrible torments, in order to extract money from them which they had not. They tore the flesh from their heels to try if they had gold concealed beneath the skin. They forced them to drink scammony (or purging bindweed) to create vomiting, in order that they should give up the gold they had swallowed. With a spear they opened their bellies that they might pry into the most secret recesses of their bodies. Think you then how many millions of men have perished in this fearful manner."†

The pilgrims who were happy enough to arrive at Jerusalem were obliged to pay a piece of gold before being permitted to enter; thus thousands of unfortunates whom the infidels had completely stripped, came dying of hunger and misery under the walls of the Holy City, whose inhabitants would not suffice to bury the dead lying around.

When in 1035, Robert of Normandy arrived at Jerusalem,

* See Mabillon, *Acta SS. ordinis S. Benedicti*, sæculum iii. pars ii. p. 523.

Guibert de Nogent, *Gesta Dei per Francos*, t. ii. ch. 4.

there came before him, said a chronicler, "crowds of pilgrims weeping and crying for mercy, and that they had not wherewith to pay on entering. Whereupon the Duke ordered a certain number to enter, first presenting to each a bezant of gold, by which means they were enabled to procure admission, and with great honor."*

The pilgrims who had been able to discharge this tribute lodged either with the Christians, or in the hospice of the Amalfitains, or even in the houses of the infidels, as did Robert the Ancient, Count of Flanders. "Out of a thousand pilgrims," said Guillaume of Tyre, "scarcely one had sufficient for his wants; having lost on their route their travelling provisions, being merely able to preserve their persons through innumerable perils and fatigues."

These dangers very soon induced the pilgrims to unite and travel in large companies for their mutual protection. It was the Normans who furnished the precedent, if we can credit the questionable recital where Orderic Vital relates, that a hundred knights of this nation returning from Palestine delivered Salerno which had been besieged by the Saracens.

In the eleventh century, the nobles and the abbés very seldom set out without a numerous retinue. Such were amongst others, in 1026 the pilgrimage of Guillaume Taillefer II., count d'Angoulême, who departed with a brilliant escort of nobles and abbés; then that of Richard, Abbé de Vannes, in 1027, who was accompanied by seven hundred pilgrims whose entire expenses he paid; than that of d'Avesgaud, bishop of Mans, in 1032; then of Robert, Duke of Normandy, in 1035.†

Finally in 1064, instead of a pilgrimage, we might almost consider that then formed an attempt at a crusade. "It had been announced all through Normandy," relates Ingulfe, secretary to William the Conqueror, "that the bishops of the empire and other princes of the earth wished, for the salvation of their

* Chronique manuscrite de Normandie, Recueil des historiens de France, t. xi. p. 528.

† Apropos of the pilgrimage of Lietbert, Bishop of Cambrai, in 1054, Michaud has committed, in his *Histoire des Croisades*, a singular mistake. He says that Lietbert set out with an escort of *three thousand pilgrims*. Now, here is the text of the Bollandists; "Lietbertus egreditur a civitate sua . . . prosequitur eum fere *ad tria millia*, non sine lacrymis et immensis gemitibus, omnis ætas utriusque sexus (June, t. iv. p. 596); a distance of three thousand paces had been taken by the historian for three thousand persons.

souls, to repair piously to Palestine." Several persons of the princes' household, as many clerks as knights, and Ingulfe himself joined them. At the moment of departure, the number of pilgrims was found to exceed seven thousand. Arrived in Asia, where the intelligence of their expedition and their riches had preceded them, having had the folly to make a display, they were assailed by the Arabs near Ramla. After a sanguinary combat, they were with much difficulty enabled to gain an old ruined castle, where they held out for three days; they were at length delivered by the emir of Ramla, who escorted them to Jerusalem; four thousand only returned to Europe.*

The facts which we are now about to relate, relative to the pilgrimages undertaken in the Holy Land, before the Council of Clermont, in 1095, where the first crusade was decided, prove in the most evident manner to what a point of exaggeration the influence which Peter the Hermit and Urban II. had on the movement which attracted so many millions of Christians into Asia, has been by ignorance extended. The voices of these two men would have been powerless in creating one of those events which change the face of empires, if for more than a century the idea of a crusade had not taken possession of the imagination of all Christians; the natural result of pilgrimages which imparted to believers not alone useful geographical knowledge, but also made all Europe aware of the miseries and hopes of the christian population of the East. We have already alluded to the letter of Gerbert. In 1010, according to Raoul Glaber, (book III, chap. 7.) the Jews of Orleans sent to the Sultan of Babylon to prevent his destroying the temple of Jerusalem, lest he should be driven from his kingdom by the followers of Christ. In the month of December, 1074, Gregory the Seventh wrote to the Emperor Henry IV., that more than fifty thousand inhabitants of Italy and France had made known to him, that if he, the chief of the church, would place himself at their head, they would go and deliver the Holy Sepulchre.†

In his youth Godfroy de Bouillon often said, as related by his mother, that his most earnest desire was to go to Jerusalem at the head of a numerous army. After the crusades, we still see Christians encountering the dangers which presented them-

* See Baronius, *Annales ecclesiastici* t. xvii. p. 266.

† Guibert de Nogent *Gesta Dei per Francos*, t. II.

selves anew in the countries subjected to the infidels; but after the seventeenth century, the greater number must be considered rather as travellers than pilgrims. We must not, however, omit the pilgrimages of two women. The one, Gabrielle Brémont, of Marseilles, traversed the higher and the lower Egypt, Palestine, Mont Sinai, Mont Lebanon, and almost all Syria. The account of this voyage was translated from the French into Italian, and published in Rome, in 1673, in quarto. The other woman, named Anne Chéron, visited Jerusalem at the age of eighty. The account of this pilgrimage was published at Paris, 1771, in duodecimo.

If, notwithstanding the dangers they encountered, pilgrimages to the Holy Land were so frequent, we may easily conceive what ought to be the concourse of pilgrims who went to visit the holy places situated in Europe, as Rome, and St. James of Compostella.*

The capital of the Christian world, above all, drew within its walls a crowd of travellers from all nations. Thus Brunon, who, in 1049, became pope under the title of Leo IX., whilst he was bishop of Toul, in Lorraine, made every year a voyage when he was sometimes accompanied by more than five hundred persons. And to speak of a period approaching nearer to ourselves, during the Jubilee of 1600, the hospice for pilgrims in Paris instituted by St. Philip Neri, in the middle of the sixteenth century, gave food and lodging during three days, to 445,000 men, and to 25,000 women. They applied in France the name of *Romée* or *Romieu* to the pilgrims who had visited Rome, thence it is that these names, particularly the latter, are very common in some of the departments of France.

With the success of Luther, came, in great part, the decline of Pilgrimages. In 1563, Protestantism was spread in Denmark, in Iceland, in Lapland, and we find Gustavus Vasa entreating his successors, in his will, to adhere to the new religion. Prussia, Lavonia, Poland, Hungary, Bavaria, Austria, Westphalia, and, in short, the entire of Germany, had abandoned, or been shaken in, the old Faith; the fasts of the Church were neglected, and on Saint Peter's Day the harvest work was more attractive than the Church ceremonies.

Twenty years passed on; Sixtus the Fifth, with a policy and

* M. Victor Leclerc has composed, on the Pilgrimages to Saint James of Compostella, a Memoir which was read at the Academy of Inscription and Belles Lettres in 1843.

wisdom worthy a statesman, gained the heart of William, Duke of Olevs, and with the awakening of Germany to the Faith of its fathers, arose one to make that Faith in its new dawning as fervid as before its slumber. This man was Julius Echter of Mespelbroun, who had been created Bishop of Würzburg in 1573. He had been educated by the Jesuits at the Collegium Romanum, and had become imbued with the spirit of Loyola in all the glory of its indomitable energy. In 1584, he set out on a visitation of the churches of his diocese. "He travelled," writes Ranke, "through his whole territory accompanied by certain Jesuits, going first to Gmünden, then to Arnstein, Werneck, and Hassfurt, and so on from circle to circle. In every town he summoned to his presence the burgomaster and the town council, and told them of his determination to root out the errors of Protestantism. The pastors were sent away and their places filled with the pupils of the Jesuits. Any official person who refused to attend Catholic worship was dismissed without mercy, and the vacant office instantly filled by one of the Catholic faith. Even private persons were all required to attend the Catholic service, and had only to choose between the Mass or exile; he to whom the religion of his prince was an abomination ought, it was said, to have no share or interest in his country."

In vain did the neighbouring princes remonstrate against these measures. Bishop Julius used to say, that it was not what he did that caused him any scruples of conscience, but that he had begun to do it so late. He received the most active and zealous support from the Jesuits, among whom Father Gerhard Weller was especially conspicuous, by going alone and on foot without even a change of raiment, from place to place preaching. In the single year of 1586, fourteen cities and market towns and above two hundred villages, containing in all 62,000 souls, were brought back to the Catholic faith.

"The capital of the diocese was the only town which still adhered to Protestantism, and in March, 1587, the bishop undertook its conversion. He summoned the town council before him, and appointed for each quarter and parish a commission, which was to examine each citizen separately. Here, too, it was discovered that one half cherished the Protestant opinions; the faith of many, however, was feeble and wavering, and soon yielded to persuasion or menace; and the solemn communion which the bishop himself celebrated in the

Cathedral at Easter was numerously attended. Others held out longer, and a few chose rather to sell their property and go into exile; among the latter were four members of the Council.

This was an example which the bishop of Bamberg, the nearest ecclesiastical neighbour of Würzburg, felt himself especially called upon to follow. There is a hill called Gösweinstein, rising above the valley of Muggendorf, to the summit of which pilgrims may to this day be seen wending their way from all the surrounding valleys, by steep and solitary paths, through magnificent woods and romantic precipices. Here was an ancient sanctuary sacred to the Holy Trinity; but at the time we are speaking of, it was neglected and deserted. When Ernest von Mengersdorf, bishop of Bamberg, happened in the year 1587 to visit this spot, he was greatly shocked at its condition. Inflamed by the example of his neighbour, he declared that he would also 'bring back his subjects to the true Catholic faith; no dangers should prevent him from performing this, his duty.' We shall see how earnestly his successor followed the course he marked out.

But whilst in Bamberg things were only in preparation, in Würzburg Bishop Julius effected a complete change in the religious character of his dominions. All old ordinances and ceremonies were revived; devotional exercises in the honor of the Mother of God, pilgrimages, brotherhoods of the Assumption of the Blessed Virgin, and of her birth, and various others, were restored, and new ones founded. Processions filled the streets. Throughout the whole country, the sound of the church bells recalled the hour of the Ave Maria. Relics were again collected, and deposited with great pomp in their appointed shrines. The convents were filled again, and churches built in all directions; Bishop Julius is said to have laid the foundations of three hundred; the traveller may still distinguish them by their lofty spires. Men observed with astonishment the change which a few years had wrought. A panegyrist of the Bishop thus expresses himself: 'What was formerly esteemed superstitious and even contemptible, is now held sacred; what was lately revered as a gospel, is now declared to be only deceit.'

"Even at Rome such signal success had not been anticipated. The enterprise of Bishop Julius had already been some time in progress before Pope Sixtus heard anything of it. After the Autumn holidays in 1586, Aquaviva, the general of the

Jesuits, appeared before him, and informed him of the new conquests achieved by his order; Sixtus was delighted, and hastened to testify his approbation and gratitude to the Bishop. He granted him the right of filling the benefices which had fallen vacant in the reserved months; adding, that he would best know whom to reward.

"But the pleasure which the Pope received from Aquaviva's report was enhanced by the arrival of similar intelligence from the Austrian provinces, particularly from Styria."

Next to Rome, Loretto and Compostella were the most celebrated places of pilgrimage in Europe. Loretto is situated in the Papal dominions, in the province of Macerata. It is near the Adriatic, and is about fifteen miles south by east of Ancona. More than fifty years ago, Murri, the spiritual guardian of the Santa Casa, the Holy House, published in Italian, a history of the shrine, which was translated into his own language by Philippe Pagès, a French monk, who dedicating it to Napoleon's governor of Ancona, Lemarrois, published it in 1809 under the title *Abriégé Historique des Traditions Prodigieuses de la Sainte Maison*. Pagès commenced his narrative thus:—

"The town of Nazareth, seated on the slope of a hill in the vicinity of Mount Tabor, was one of the principal places of the province of Galilee, before the Roman conquest. But the just wrath of Heaven having given up the guilty nation to the scourge of war, pestilence, and famine, and to a ruin which will end only with the world, Nazareth shared the general lot; and at the time of St Jerome, it was no more than a wretched village.

"The zeal of the primitive Christians vainly strove to restore it in some degree to its ancient lustre, by making it the seat of a Bishop. But the last of its pastors having shamefully apostatized, the town fell into the decay in which we see it still, a miserable collection of huts, and refuge for the robbers of Arabia.

"But neither the ravages of time, nor the violence of arms, could rob Nazareth of the glory of having been the country of the most august Virgin, the mother of God! and of having enclosed within its circuit the house in which she was born, where the great mystery of the Incarnation took place, and where our Lord lived the greater part of his mortal existence, that is till his baptism. This is the house, which, by the ministry of angels, was, after a lapse of so many years, transported among us and which now makes the glory of Italy, and the most sensible and beloved honour of our province. In the seventy-first year of the Christian era, Nazareth was sacked and ruined by the Romans. But the Deity watched with an eye of care and affection over the dwelling of Mary, not suffering the enemy to penetrate to the place in which it stood, and where it continued

concealed until the moment fixed on in the divine councils, for bringing it to light, for the veneration of all the world.

"An event of this kind happened first under the government of Constantine the Great. About the year 307, the Empress Helena, his mother, made a pilgrimage to the holy places of Palestine. She first visited the manger where our Lord had lain; then Calvary, the Holy Sepulchre, and Nazareth, the place where our redemption had its origin, and the only place where she found no mark of profanation. The royal pilgrim found the holy dwelling under a heap of ruins. After having paid it her veneration, she resolved to attempt no change in it. She only reared again the altar on which the holy Apostles had offered the divine sacrifice!

"But she directed the Imperial Ministers to build over and round the Holy House an august and magnificent temple, on whose marble front she engraved the brief but expressive inscription:

'Hæc est ara in qua primo jactum est humanæ salutis fundamentum.'

"The report of this building was spread through the world, and from that time, the nations were eager to make pilgrimages to venerate the house of the Queen of the Angels. Kings, princes, and others, not less distinguished for their rank than for their holiness, came to visit this heaven upon earth!

"In the year 1245, Palestine had totally fallen under the Saracens. Saint Louis, touched with the desire to conquer this chosen land, embarked with a powerful army, and landed successfully in Egypt. But pestilence resisted his great designs. The multitude of the French warriors perished, and finally the king was made prisoner; God permitting that a war undertaken with motives so rational and so holy, should come to so disastrous an end, because the time fixed in the divine councils for the deliverance of Palestine was not yet come.

"Saint Louis, having been set at liberty by a capitulation, reached Nazareth in 1252, where, on the 25th of March, the day of the Annunciation, he went on foot, covered with a penitential robe, from Mount Tabor, to venerate the adorable chamber of Mary, and where, having heard mass, he communicated. He then returned to the Temple which covered the Holy House, and ordered Odo, Bishop of Frascati, the Legate of the Papal See, to perform mass upon the High Altar."

The narrative now proceeds to state that a memorial of those ceremonies remains in some very old paintings on the western wall of the sanctuary; that the existence of the Holy House was unquestionable, until the close of the thirteenth century, when the Caliphs conquered Galilee, with the slaughtering of 20,000 Christians and the slavery of 200,000. The Mahometans pulled down the temple of Helena; and the Holy House was lost to mankind for ever but for "the admirable and incomprehensible wisdom, which, to save the house of the divine Mother, snatched it from its foundations by the most surprising and unheard-of miracle; the foundations still remaining in proof visibly at Nazareth."

"The miraculous translation from Nazareth to the borders of Dalmatia occurred on the 10th of May, A. D. 1291, in the pontificate

of Nicholas IV. It alighted on a low hill between the town of Tersata and Fiume, where neither house nor hut had ever been seen before.

"A multitude of the Dalmatians ran together to the place on hearing of the prodigy; and after having observed the Holy House placed without foundation or support on an uneven ground; after having also observed that it was of the most ancient construction, and that its masonry shewed it to be not of their own country, but of a distant land—they entered, and were still more astonished to find the House roofed and wainscotted, the wainscot being covered with blue, and divided into little squares scattered with golden stars. Two fragments of this decoration are yet to be seen.

"They perceived, besides, a little altar attached to the wall opposite the door; and upon the altar they found an ancient Greek cross of wood, with a figure of the crucifix painted on the cloths which covered the cross, and also found a statue of the Most Holy Virgin holding in her arms the infant Jesus. At the left of the door was a little cupboard hollowed in the wall, and near it the place of an ancient hearth, in the style of Nazareth, that is, without an orifice for the smoke, inasmuch as in the East they use only charcoal.

"But that the people of the town of Tersata should learn the origin and value of this house, the Mother of God was pleased to add to this extraordinary event a new miracle.

"Alexandre de George, Curé of Tersata, being dangerously ill, the Holy Virgin appeared to him in a dream, and revealing that the house which had lately arrived in the country by a prodigy which none could explain, was the true House of Nazareth, in proof of her appearing, restored him at the instant to complete health.

"The people of Tersata, now irresistibly convinced of their good fortune, with one accord implored permission of the Chevalier Nicholas Frangipani, then governor of the province, to send four of their fellow-citizens to Nazareth, to make themselves still surer of so great a prodigy."

The narrative proceeds to state, that "the governor sent the deputies with four of his own, carrying the exact measurement of the Santa Casa, that they might compare it with the original site. Nothing could be more satisfactory than the result. The deputies found that not a fragment of the house remained further than the precise quantity which might assist to realise the evidence of the removal. The length and breadth, the stones, &c. &c., were the same, and the fame of the miracle redounded in the shape of donations from all sides. Frangipani was a good, a zealous man, and with faith and hope he formed vast projects to second the devotion of the faithful, and to increase, if possible, the reputation of the holy place, when suddenly the Santa Casa was carried to a more civilized spot than the savage borders of Dalmatia.

"At once," says the Curé, "after three years and seven months from its memorable translation to Tersata, the Santa Casa was seen to rise into the air again, and pass over the Adriatic. It descended in the centre of a thick forest, at a short distance from the fortunate

hill where it now stands, and where all Christendom comes to do it homage.

"The tenth of December, A. D. 1294, in the pontificate of Celestine the V., was the memorable epoch of an event so prodigious. About ten o'clock of the night before, the sacred dwelling appeared in the neighbourhood of the town of Recanati, and came to the ground in the midst of a forest called the Laurel Wood, about two leagues off.

"Man was wrapped in sleep at the moment when this wonderful translation occurred. The shepherds who were as usual watching their sheep, were the first to have the happiness of seeing this holy asylum. An extraordinary light, which shone in its direction, induced them to come and see the cause. They saw with astonishment that the light proceeded from an ancient house, which they now observed for the first time, and in a place where there had been no dwelling before.

"While the crowd gathered from all sides to see the wonder, and were reasoning on it with each other, an individual made his appearance, who declared that he had seen the House carried through the air, just as it arrived on the neighbouring shore of the Adriatic. At length, encouraging each other, they ventured to enter, rightly conceiving that the House must contain something surprising and divine. Finally, they were convinced, and spent the remainder of the night round the holy place. At daybreak, they hurried into the town to tell their masters what they had seen,

"Their masters were at first incredulous, but they visited the wood and were convinced. But, to make conviction surer still, a miracle was wrought.

"The Holy Virgin appeared at the same time to two of her faithful servants in the neighbourhood of Loretto, and told them both that the house was her dwelling at Nazareth, transported by angels, to give all Christendom, by so august a present, a powerful succour, and a sure refuge in its most pressing needs. The first who had this miraculous vision, was Saint Nicholas of Tolentino, one of the greatest saints of the order of Saint Augustine, residing at Recanati. The other was the Brother Paul, who had fixed his hermitage on the summit of a hill a little further; now called Montorso.

"The rumour of the miracle now spread far and wide, and nothing was heard of but the forest of Loretto and the Santa Casa of Nazareth. Day and night the highways were crowded with pilgrims of all ranks and ages, to see the holy chamber, and offer their tribute of homage and veneration.

"But the Enemy of Man, indignant at seeing so great a work wrought against him, made every effort to destroy the devotion of the faithful. The sanctuary stood in the centre of a forest, about half a league from the sea, and the ways to it were narrow, and choked up with thickets and thorns. Men without morality or religion, and with no object but gold, formed themselves into bands, and robbed the pilgrims. The pilgrimages were of course soon

thinned; but the hand of the Lord was not confined, and his Blessed Mother's shrine was not to be deserted.

Thus, about eight months after the first arrival, the Santa Casa found itself again placed on the top of a fine hill above Recanati, and a mile from its former site. The new ground belonged to two brothers, who, rejoicing in the precious gift of Heaven, paid it all the highest homage."

The brothers upon whose land this house was placed, differed as to their right to the soil, and as Murri states, "The most High, who abhorred the rage of fraternal quarrels as much as the murders of the first, transported the house of his Divine Mother out of their lands and placed it where it now is on the road to Recanati."

Sixtus the Fifth resolved to raise Loretto to the rank of a city. Fontana, his architect, placed before him the difficulties in the way of this project. "Do not trouble yourself, Fontana," said he, "it cost me more to resolve upon it than it would to execute it." A portion of the land was bought from the inhabitants of Recana; valleys were filled up, hills levelled, and roads laid out; the communes of the March of Ancona were encouraged to build houses, and Cardinal Gallo placed new civic authorities in the holy Chapel, and thus the Pope's piety and patriotism were exhibited.

Sixtus, not content with thus honoring the Mother of God, had resolved that by the aid of skilful workmen, the tomb of our Saviour should be excavated from the rock and transported to Italy. "Already he indulged in the hope of being able to erect in Montalto, this most holy of shrines; then would his native province, the March, where the Sacred House of Loretto already stood, contain within its narrow limits the birth place and the tomb of the Redeemer.*

In the year 1580, about three years before Sixtus had determined to elevate Loretto into a city, Montaigne during his famous "Journey into Italy" visited the Santa Casa. He describes the innkeepers as fleecing the pilgrims. He writes:—"against the upper part of the wall of the shrine is to be seen the image of our Lady, made, they say, of wood; all the rest of the shrine is so covered with magnificent ex-votos, the offerings of princes and their subjects in all parts of

* See Ranke, Vol. I. p 313, 497.

Christendom, that there is hardly an inch of wall discernible, hardly a spot that does not glitter with gold and silver and precious stones. It was with the utmost difficulty, and as a very great favor, that I obtained therein a vacant place, large enough to receive a small frame, in which were fixed four silver figures; that of Our Lady, my own, that of my wife, and that of my daughter. At the foot of mine there is engraved in silver: *Michael Montanus, Gallus Vasco, eques Regi Ordinis*; 1581; at the foot of my wife's: *Francisca Cassaniana uxor*; and at that of my daughter: *Leonora Montana filia unica*; the figure of Our Lady is in the front, and the three others are kneeling side by side before her."

Almost one hundred and sixty-five years, after this visit of Montaigne, a man of very different character and cast of mind came to Loretto, and wrote an account of his visit; this traveller was the Rev. Alban Butler, the well known author of the *Lives of the Saints*. In the years 1745, and 1746, Alban Butler made the tour of Europe with the Honorables James and Thomas Talbot to whom he acted as tutor. He appears to have written his impressions of all he saw, in letters to his friends, and these coming into the hands of his grand nephew, the celebrated lawyer, Charles Butler, were published by him in a volume of about 460 pages, in 1803, and dedicated to the Rev. James Yorke, of Bramston. Butler's description of Loretto is as follows:—

"LORETTO is a new town built around the *Santa Casa* or *Holy House*, and consists chiefly of one large street, containing little else than inns and great shops for beads and medals. It is nearly two miles from the sea. Sixtus V. surrounded it with walls and bastions to prevent its being plundered by the Corsairs; and Paul V. built a great aqueduct to supply it with water. The palace is a large building begun by Pius IV., upon a plan given by Bramanti; but only finished by Urban VIII. It contains three storeys, and three rows of galleries, one above another, of the Doric, Ionic, and Corinthian order. The bishop, governor, canons, penitentiaries, &c., live in different apartments in it. In the cellars beneath, for their use as well as that of the pilgrims, there is one tun which holds 420, and another which holds 365 barrels of wine, &c. Before this church is an extensive square embellished with fountains and a brass statue of Sixtus V. On the gates of the church, which are also of brass, is represented in basso-relievo the history of the Blessed Virgin, by JEROME LOMBARD and his sons, &c. The same artist also made the four gates of the holy house. The church is very spacious, built in the form of a cross, paved with red and white Parian marble, and covered with lead; in other respects it is not very remarkable,

except for one good picture ; the rest being tolerable only. It contains six sacristies. In the middle stands the SANTA CASA, of which every one knows the history. It may be sufficient therefore briefly to say, that the house at Nazareth, in which the Blessed Virgin lived, and God became man, was visited with great devotion by St. Paula in the fourth century, as St. Jerome (Ep. to Eustochium) testifies, and afterwards by St. Lewis in his holy wars, Cardinal Vitry, and many others. In the year 1291, it was miraculously transported by angels into Dalmatia, and shortly after into this district, where it changed its place twice before fixing in its present site. The proofs of this translation may be seen in Baronius's continuators, in Turse-in's history of the House of Loretto, and in the new history of it by the present Bishop of Monte Feltro, though he is not exact in every thing. His relations of the miracles fill folios. But although this were not the real house, the devotion of pious people would not lose its reward, as it is not to the house itself it is directed, but to Him who condescended to make it so long the place of his residence when on earth. Loretto is certainly the greatest place of devotion to our Lady in the world. Pilgrims from Italy, Germany, and above all Sclavonia, continually crowd all the roads leading to this place. They have three meals given them at Loretto ; and the like at an hospital in Venice, as they pass through ; that being the road of the Dalmatians. The holy house is 30 feet long, 12 broad, and 15 in height, of course sufficiently high to have had two stories. The walls are built of a mouldering red stone, like brick : at the bottom or west end is a window ; in the eastern end a chimney : originally there was but one door, now there are two. Under the windows is the altar of the Annunciation. The principal altar, which is exceedingly rich, is near the eastern end ; at this a perpetual succession of masses is celebrated from day-break till two o'clock in the afternoon. Behind this altar is the sanctuary, separated from the other part, into which pilgrims are permitted to enter all morning, by a low wall or ballustrade of solid silver. Just by the door in this sanctuary, is a silver cupboard fixed in the wall, containing a wooden dish and other vessels, which they say our SAVIOUR used. Here also is the famous image of our Lady, said to be painted over by St. Luke. The head is encircled by 71 great topazes, and crowned with a tiara of emeralds, sapphires, rubies, and diamonds,—a rose of pearls and diamonds on the forehead, given by two English ladies,—another tiara of gold and jewels,—before the neck a fleece glittering with precious stones ;—a necklace of rubies and diamonds worth 60,000 crowns presented by King Lewis XIII. encircles the neck : she holds an infant Jesus of gold and diamonds in her arms. The robes which cover these images are rich beyond imagination, both in the cloth and embroidery, and in the profusion of great jewels. The sanctuary is quite filled with costly offerings. Before the chimney is a second ballustrade of massy silver ; a praying desk of pure silver, statutes, members, hearts, lamps, and above all baubinos, or little infants representing our SAVIOUR, of gold and silver, enriched with jewels. Among the rest is a babe of gold, representing Lewis XIV., presented to our Lady by an angel of silver, the gift of his

mother, Queen Ann of Austria. The house itself is all covered both within and without with the richest marble, except near the bottom, in the inside, to show the holy wall, and how it stands without any foundation, but torn off. The covering of white marble was the work of Julius II., Leo X., Clement VII., Gregory XIII., &c. It is carved all round by the greatest of MICHAEL ANGELLO's scholars, Contucci, Sansovino, Delmonte, Dela Porta, Raphael de Monte Lupo, Lombard, Bandinelli, St Gal, &c. The history of our Lady's life is executed in admirable basso-relievo. Below are the incomparable statutes of the Sybils and all the Prophets, as having foretold the Incarnation. Among these, the most admired are, Jeremiah Weeping, by Contucci; Moses, and several figures by Lombard, &c. This incrustation of marble is said to have cost about 300,000 crowns, although the carvers gave their work gratis. The *Treasury* is an elegant large square hall or sacristy, opening into the church. The vault is painted; one figure by perspective, turns its eyes on you in all parts of the room wherever you stand, in the same manner as that formerly mentioned of St. John Baptist in Prince Borghese's palace in Rome. Here the riches exceed all estimation, and indeed the articles can scarcely be counted, though I was shewn a general catalogue of them. There are innumerable crowns, collars, beads, necklaces, chains, crosses, images, and vessels of gold, silver, and precious stones; many thousands of diamonds, rubies, sapphires, amethysts, emeralds, &c. An eagle of diamonds presented by the Empress Mary of Austria; a collar of diamonds by her son; a heart of gold enriched with diamonds by Catherine Henrietta, Queen of England; a diamond of an extraordinary size, by Prince Doria. Suns, roses, leaves, &c., of jewels. Chalices, and other vessels of gold, &c. A pearl as large as a pidgeon's egg, with the image of our Lady and the infant Jesus engraven upon it, given by one who concealed his name; as were many other things. Here is a rock three feet high, full of precious stones and adamants, just as it was dug up in Golconda; another in which the diamonds, &c., are not perfectly formed, but growing only, given by the Medici of Florence. Garments and vestments, &c., of all sorts. On one vestment alone they count 7000 jewels; a set of service for an altar, consisting of a cross, cruets, a chalice, paten, and six candlesticks of amber, others of gold, of silver, and of chrystal, &c. In a word, all things of these kinds that can be imagined: agates, jaspers, lapis lazuli, &c., lose their value here, from the great profusion of them. The towns of Milan, Bologna, and a dozen others in silver. The castle of Vincennes in silver, given by the celebrated Prince of Conno, *Grand-father to the present*, who was long confined as a state prisoner in that fortress. Catholic princes from all quarters send their richest jewels, &c., as tokens of their devotion to the Mother of God.

The fixed revenue of the Santa Casa, is 24,000 crowns a-year for the canons, &c. It is forbid, under pain of excommunication, to scrape or carry off the least dust from the original building, nor can absolution be granted, till the person has himself brought back what he had taken, be he never so far off. Without this prohibition, the walls would have been long since carried away. Almost all religious

orders have their hospitia here of two or three fathers. The Penitentiaries are twenty, (all Jesuits), under an Italian rector. Their great confinement, diversity of countries, interests, manners, inclinations and parties, render their situation not the most agreeable to flesh and blood. They are for the Italian, German, French, Spanish, Slavonian, Polish, and English tongues. Father Boothe is the English Penitentiary, brother to the counsellor. They have a small poor library of old Casuists, in which, however, is a valuable old manuscript of the Latin Vulgate. *La Specieria*, the apothecary's shop of the holy house, furnishes drugs gratis to all its officers, &c. It is very large and well stocked; but what is most valuable in it, are the inestimable earthen pots and vessels, so imitatively painted by RAPHAEL, and the greatest amongst his scholars, representing all the personages of the old and new testament. They are ranged on shelves, and fill the walls of two large rooms. The most esteemed are St. Paul, the Four Evangelists, Job, &c.

The inn-keepers, and indeed all the inhabitants of this place, are guilty of imposing upon strangers. It is 155 miles from Rome.

Next in order to Loretto we find the most famous shrine to be that of Saint James of Compostella, in Galicia.

It was held, and is still held, that St. James, the apostle, the elder of the sons of Zebedee, was a teacher of Christianity in Spain before the year 42 of our era. It is believed that having returned to Palestine he was the first of the apostles who suffered martyrdom, that his body was conveyed back to Spain, and buried near the town Iria Fulva, which is now known as Santiago de Compostella, and is the chief town of the province of Galicia, and an archiepiscopal see. We have no proof that St. James was ever in Spain, and this shrine was not discovered until the year 808, just 766 years after his death. The Jesuit historian, Marianna, tells us in his *Historia d' España* that the sepulchre was discovered by Theodomer, Bishop of Iria, by supernatural means.

Long before the discovery of the shrine, St. James was honored in Spain as one who had been a missionary in that country. Many churches were dedicated to him in Galicia, and nearly a century before the discovery of his sepulchre, a church was opened in his name at Lergo, the *Lucus Augusti* of the Romans. The shrine was discovered during the reign of Alphonsus the Chaste, King of Leon. "By order of that Prince," writes Alban Butler, "the relics were translated to

* The inn-keepers do not appear to have improved in honesty in the 160 years since Montaigne's visit; Butler writes, their "houses are far from eligible places of resort."

Compostella, four miles from the spot in which they were found, to which city Pope Leo III. transferred the see from Iria Fulva. This place was first called, "ad S. Jacobum apostilum or Giacomo Postolo," which words have been contracted into the present name Compostella. Alphonso endowed the shrine with lands extending to a circuit of three miles, and presented to it many slaves, supposed to be the children of Moors who had embraced Christianity, and who were to be reared to the priesthood, or devoted to the special care and guarding of the shrine and church. Cuper, the Bollandist, gives many relations of miracles performed through the intercession of St. James, and he became, from a very early period, the special and favorite patron of Spanish soldiers. He frequently protected them by his interposition in their battles against the Moors, and in 1175, the military order of St. James the Greater was instituted.

The fame and sanctity of the shrine were widely extended. The cathedral was one of the most splendid in Spain. It was more than three hundred feet long, in form of a cross; it had seven gates and twenty-three chapels, some of which were ornamented with marble, jasper, and other precious stones, and lit with magnificent silver lamps. The pilgrims thronged to the shrine, and the crowd was increased about the year 1122, when, owing, as William of Malmesbury tells us, to the deeds of plunder and violence to which the pilgrims to Rome were subjected by the barons, even at the very altar of St. Peter's, Pope Callistus II., advised the English to make their pilgrimages to Compostella, until, by his energy he should have crushed, with his reforming hand, the lawlessness of the Roman nobility and bravos.

The Moors took Compostella in 997, and set fire to it. They carried off the ornaments and bells of the cathedral to Cordova, but these were restored by the King, St. Ferdinand, after he had conquered that city. The cathedral was again plundered by the French, in 1809, and the most valuable of the ornaments were borne away, never to be restored.

To the pilgrims, according to Bayle and Ministrier, we owe the introduction of the Miracle Plays, or Mysteries, so common in the middle ages. Ministrier, in his work on ancient and modern musical representations, writes:—

It is certain, that *pilgrimages* introduced these devout represen-

tations. Those who returned from *Jerusalem* and the *Holy Land*, from *St. James of Compostella*, *St. Beams of Provence*, *St. Raine*, *Mont St. Michael*, *Notre Dame du Puy*, and other places of piety, composed songs on their travels, mixing with them a recital of the Life and Death of the Son of God, or of the last judgment, after a gross manner, but which the singing and simplicity of the times seem to render pathetic ; they sung the miracles of saints, their martyrdom and certain fables, to which the credulity of the people gave the name of visions and apparitions. These pilgrims, who went in companies, and who took their stands in streets, and public places where they sung with their staves in their hands and their hats and mantles covered with shells, and painted images of divers colours, formed a kind of spectacle, which pleased, and which excited the piety of some citizens of *Paris*, to raise a fund for purchasing a proper place to erect a theatre, on which to represent these mysteries on holy days, as well for the instruction of the people, as their diversion. *Italy* had public theatres for the representation of these mysteries ; one of them I saw at *Veletri*, in the road from *Rome* to *Naples* in a public place, where it is not forty years since they left off to represent the mysteries of the life of the Son of God. These pious spectacles appeared so fine in those ignorant ages, that they made them the principal ornaments of the reception of princes, when they made their entry into cities ; and as they sung a Christmas Carol instead of the cries of *Long Live the King*, they represented in the streets the good *Samaritan*, the wicked rich man, the passion of *Jesus Christ*, and several other mysteries, at the reception of our kings. The Psalms and Prose Devotions of the church were the opera of those times. They walked in procession before those princes with the banners of the churches ; they sung to their praise hymns composed of several passages of scripture, tacked together, to make allusions to the principal actions of their reigns."

The effect of these pilgrimages in spreading knowledge and civilization amongst the people of the Universe was incalculable. As Dr. Miley writes, —

Every pilgrim turned student in Rome, even though remaining but for a few months or weeks, and was sure to make such progress as to place him whole centuries in advance of his more plodding compatriots, who had never been there ; but in addition, there were multitudes of every nation of the west, and of other countries also, and more especially from Greece, residing in permanent establishments in the Pontifical city. The proofs of this recur at every page in the lives of the Popes. We see the Saxon, the Frank, the Lombard, the Burgundian colleges forming a constant element of the grand pageants, such as the procession to receive a king, an exarch, an emperor, or a pontiff, on approaching to Rome. The annals of even the most remote of the western nations—the Irish—the lives of their saints, abound in notices of the holy pilgrims who journeyed from that remote corner of the earth, to the tombs of the Apostles. One of the first purposes to which we find a respite from the inroads of the Danes converted in the ninth century

is, to send an embassy from the Irish princes, to obtain, from Charles the Bald, a free and secure passage through his dominions for the Irish pilgrims to Rome. In an unpublished Irish MS. called the *Leabhar Breac*—a collection of singular importance and interest in an historical point of view—there are a great many such notices. They abound still more in the *Lives of the Irish Saints*, as published by Colgan. As we see by what is mentioned in the celebrated *Epistle of Saint Cummian* published by Usher, these Irish pilgrims, whether going as envoys, or students, or to satisfy their devotion, continued to tarry there for years. In the *Annals of the Benedictines*, a very curious account is given by Mabillon of what occurred on occasion of a company of Irish pilgrims stopping at Saint Gall's on their return from Rome. The two chief of them were Marcus, a bishop, and his nephew, called Marcellus—that is, the little or beloved Marcus. The community at Saint Gall's—at that period highly distinguished for the flourishing school of their cloisters—were so taken with the scholarship which these ecclesiastics displayed, that no entreaties were spared to prevail on them to remain—Marcellus at Saint Gall's, and Marcus at Saint Martin's at Rheims—as professors. They at length consented, and such scholars as Walfrid Strabo and others, not less illustrious for learning and the cultivation of letters in the ninth century, were amongst their pupils; but the followers of the Irish Bishop became so excited, when they learned that they were to return to Scotia, (as Ireland was then designated,) without him, that it was from a window, the doors of the convent having been strongly barred, that the bishop was obliged to give them his blessing and the money-purse for the journey, to which they turned in tears, and heart-broken, at leaving their beloved Marcus and Marcellus behind. The Greeks had regular monastic communities at Rome, and we shall see from the life of Pope Hadrian II., by Gulielmus Bibliothecarius, that besides these there were crowds of devout and learned persons sojourning there, not only from Constantinople, but from Alexandria, Antioch, and Jerusalem. So long as there were any Christians in the African province, they also resorted to Rome. As for the Lombard, Frank, Gothic, and other continental nations, it would be superfluous to dwell on the proofs of their uninterrupted commerce with Rome. The English, though more remote (the Romans of old, regarding their country as the end of the earth) were, notwithstanding, so numerous that their residences swelled into a town; for it was called in their own language a "*Burgh*,"—a name which attaches to the quarter of Rome situated round the hospital of the Santo Spirito, to the present day.

And now that we have drifted, in this our day, into a world where the internal life seems nothing, and the external all; a period in which old times do really seem changed and old manners do really seem to have vanished for ever, and in which—

“—the jingling of the guinea helps the hurt that honor feels,
And the nations do but murmur, snarling at each other's heels,”

it is most interesting to mark now the immortal Sisters go hand in hand, and as Faith grows crescent so Hope arises. We know that, regarded from a Catholic point of view, this revival of pilgrimages through the agency of the Society of St. Vincent-de-Paul is nothing remarkable. A Catholic will tell us that when Loyola flew to Mount Montserrat, when he hung up his knightly arms by the shrine of God's Mother, and flinging himself before her altar gave out his soul in words of fire, and escaping from the world to the rocks of the mountain, and then never resting until after long and bitter penances he had departed from Spain on his pilgrimage to Jerusalem, Loyola had but that same faith which was exhibited by Assysium in one phase, and by De Sales in another.

Thus the Catholic believes and thus his Church has ever taught, and this revival of pilgrimages, with its first and second class prices, ludicrous as is at first the impression produced by the terms, is but the adoption of the customs of an age, the

—"Foremost in the files of Time,

and a carrying out the pious practises of those centuries in the very rear of the Christian era, when religion had least the taint of human nature, and when faith was freshest from the bosom of the Almighty.

In the *More's Catholici*, and numerous works written by Catholic thinkers, we find records of the great value placed by the church upon pilgrimages.

The blessed John of the Cross distinguishes three kinds of holy places, that is, places where God is accustomed to excite the will to devotion. The first are certain spots rendered agreeable by the extensiveness and variety of the view, by the verdure of trees and plants, by solitude and silence. The end in employing such places is to elevate the heart to God. Almost every Christian city, and even village, was adorned and consoled by some place of this kind, on which a Calvary was erected, where devout persons went at all times to pray; and where at intervals, as on the festivals of the holy cross in May and in September, the whole population would assemble then in peaceful pilgrimage, to assist at the divine offices celebrated in an adjoining chapel, and to hear some man of God discourse upon the love of Jesus. Such was the Mount Valerien near the city of Paris, where hermits had resided since the eleventh century, whose sweet solitude even kings protected, for in the year 1633 there was a royal decree forbidding any one to keep a hostelry upon that mountain nearer than the village of

Surène.* In the house of the missionaries on the summit, it was the custom to admit laymen who desired to make retreats. The Cardinal de Noailles came there every year for that purpose, and the Cardinal Boromeo used in like manner to retire to the Calvary on Monte Varale, where were represented the mysteries of the Passion. Here were fields of roses, which embalmed the air with their sweet fragrance; and when the multitude assembled, such peace and joy beamed from every countenance, that one might have thought that the reign of universal order was already come. One of the first acts of the sophists who wrought the French Revolution, was to throw down the crosses and desecrate the sanctuary, that all men might know them by their fruits. The second kind, continues the Blessed John, are particular places, whether solitary or not, in which God is known to have had extraordinary intercourse with just men, thither sending his winged messengers on errands of supernal grace, so that these persons remain ever after attached to them, though it is not the place but the soul which draws down the grace of God. Thus Abraham raised an altar on the spot where God had appeared to him; and in passing by it on his return from Egypt, he again worshipped there; and Jacob also made an altar of stone in the place where the Lord appeared to him. Such are the famous church of the Portiuncula and the seraphic mountain of Alvernia in Italy, exhibiting those wondrously split rocks, which a pious tradition ascribes to the earthquake at the death of Christ, and clothed with that deep and solemn wood, which so often beheld the sacred wandering and heard the infinite sighs of the fervent servants of God, Francis and Anthony, where the former, while praying at day-break on its rocky side, received the stigmata which his limbs two years carried. Such, too, is that high mountain called Cruachan Ailge, in Ireland, so memorable for having been the place where St. Patrick spent a Lent in great abstinence and solitary meditation. The places where hermits had lived or where holy men used to preach, were often called ever afterwards the holy place. Thus, in the diocese of Paris, there is a lieu-saint, so called from St. Quenten having lived there a recluse. There is another lieu-saint in the diocese of Coutances near Valogne, where holy solitaries lived under the first race of kings. In Germany there is Heiligenstad, where

† Lebeuf, Hist. du Diocèse de Paris, Tom. VII. 122.

Dagobert I. had a vision of saints.* That tower of Ader, where St. Jerome says the angel appeared to the shepherds that were watching their flocks by night would be a place of the same order. The third kind of places are those which God has destined, by an especial choice, for his service. Such were Mount Sinai and Mount Horeb.† The Carmelite friar Nicholas, who describes his pilgrimage to Jerusalem in the year 1486, visited these holy mountains, to which he could only travel by night, through the midst of horrible deserts. Arriving at length within view of the convent of St. Catherine, he says that every one wept for joy. The monks received them with great charity, but the pilgrims were only disposed for prayer. After mass matins were sung, after which every one retired to rest for the remainder of the day. The pilgrims disposed themselves to visit the holy places of the mountain by confession and devout prayer. On Mount Sinai and Mount Horeb, he says, there were many holy chapels to honor the spots which are consecrated by events of the sacred history. He describes his ascent and the views from the summit, and no books of modern travels will convey the same impression of reality as this holy man's simple relation. In few words he makes you behold the two mountains of Sinai and Horeb, and the holy places, and the dreadful wilderness, and the Red Sea with its desert islands and the horrible mountains of Thebaid.‡ The moderns have lost the idea of holy places, and are often disposed to condemn and ridicule those who have retained it. Had they been with Moses upon Horeb, they would have imagined some figure that would dispense their making bare the feet. Let us pause a moment, therefore, to hear the sentiments of men in ages of faith respecting the origin and influence of that idea. In the first place, they needed not the discourse of Milton to teach them as a general precept,

——“that God attributes to place
No sanctity, if none be thither brought
By men who there frequent, or therein dwell.”§

This was a Catholic maxim, which he had gathered, as many

* Lebeuf, Tom. XIII. 188.

† B. John of the Cross, ascent of Mount Carmel, Lib. III. c. 41.

‡ Le grant voyage à Hierusalem, Paris, 1517.

§ Paradise Lost, XI.

things besides, from the writing of the olden time. St. Bernard had said, "Let no one flatter or congratulate himself respecting a place, because it is said, this place is holy, "*non enim locus homines, sed homines locum sanctificant;*" to which words the pilgrim brother Nicholas alludes, saying, "*Le canon dit, l'homme fait le saint lieu, et non le lieu fait la sainte personne.*"* "Neither do holy places," says Walafrid Strabo, abbot of Fulda, "profit those who lay aside holiness, nor do horrid places injure those who are protected by the grace of God. The angels fell in heaven, whereas Moses was preserved in the waters; Daniel among the lions, and the three children in the fire."† St. Peter the venerable, abbot of Cluni, writing to the monks of Mount Thabor, exhorting them to be especially devout and fervent, from the consideration, not only of their being Christians and monks, but also because they inhabit a holy place, desires them to remember well that a holy place can never save them.‡ "As for these places of pilgrimage, and the extraordinary graces which are vouchsafed to those who visit them," says the blessed John of the Cross, "the reason of their existence is to give occasion for more ardent fervour and opportunity for men to awaken their piety. It is for this end that miracles were wrought in those places where the faithful assemble to offer up their vows to heaven, in sight of the sacred images. Their faith in God, their confidence in his goodness, their singular devotion for the saints whom these celebrated images represent, and their continual prayers sustained by the intercession of the blessed, obtain from God these extraordinary prodigies, of which the whole glory returns to the Creator. We find that these operations generally occur in places where the painting or image is some simple and common work, and where the place itself is retired and solitary, far from the haunts of men, where simplicity and faith alone are favoured, where the length and difficulty of the journey may prove the devotion of the heart, and where the solitude of the place itself may deliver the pilgrims from the noise of the world, and favour their devotion as when our Lord withdrew to deserts and to mountains for his prayer."§ The zeal with which such places were visited

* *Le grant voyage à Hierusalem*, f. CVIII

† *De rebus Ecclesiasticis*, cap. XIII.

‡ *Epist. Lib. II. 44.*

§ *Ascent of Mount Carmel*, Lib. III. c. 35.

by the early Christians may be learned from St. Augustin, where he says, "Brethren, recall to mind how, on any festival of the martyrs, when any holy place is named for any certain day, the crowds flow in together, to celebrate the solemnity. How they excite one another; how they encourage one another, and say, *Let us go; let us go*; and when it is asked, whither? they reply to such a place, to such a holy place; they talk together, and as if catching fire from one another, they kindle into one flame, which impels them to that holy place which saintly meditation points out to them. Such is the holy love which makes men visit temporal places of sanctity. What then ought to be their ardour in hastening to heaven."* If men would only observe what passes within themselves with regard to human things, they might learn to understand the principle of devotion to holy places, with regard to God; for instance, they esteem one chapter of a favourite book more highly than the rest, because they remember having read it in presence of a friend who is now absent. If they have executed any work of art while conversing with him, they prize it more than all others on that account. What intense and subtle feeling connects itself with the most trifling circumstance which has any relation to the earthly affections of the heart; and so it is with those who love God in his saints. Their habits, the staff they used to bear, the chamber they used to inhabit, the rock on which they used to pray, the well from which they drank, the sepulchre where they repose, become precious, and venerable, and holy.

From St. Gregory of Tours we can learn the usual mode in which such places were visited, for he says, "On one occasion as I was going about the city of Lyons to visit the holy places, the man who walked before us coming to the crypt of the blessed Helius, invited us to pray, saying, because a great priest rests in this place."† Cold ungrateful men may argue or condemn, but reason will admit the wisdom of a devotion which is founded in the deepest principles of our nature. We ask why are men so undoubting and resolute to admit an excuse for omitting the memory of God; why so backward and forbidding, so full of scepticism and difficulties, when an occasion is offered of invoking him? "Never," writes a friend, "can I lose

* Tractat. in Ps. cxxi.

† De gloria Confessorum, 62.

the remembrance of that evening of sweet peace, when with the holy monks of Vallambrosa I went the round of all their blessed spots, sanctified by the wondrous life and blissful death of the ancient eremites of that cloister, when the narrow cell which had sheltered one, the rocky bed on which another had expired, and every other revered memorial was visited with solemn litanies or hymns to Christ's blessed mother, or offering of glory for everlasting to the triune God. Thus did we ascend the mount of Paradise, when each step they invited me, thoughtless and obdurate, to turn from nature unto nature's God. To Vallombrosa one repairs with recollections that centre upon the poetry of Milton, and from it one returns with a mind refreshed, exalted, enraptured with a sense of that supernal music which can be known fully but where day endless shines." By the erection of stations in some retired spot, in the neighbourhood of every town, the church proposed to multiply places which, by the representation of our blessed Saviour's sufferings, might move the hearts of her children to greater fervour, and serve as a perpetual instruction to the ignorant; and in connection with the great historical facts and awful mysteries of religion, these affecting memorials of piety contributed to the riches which the earth was found to yield to the meek in the ages of faith. What was the idea of their institution? at Jerusalem was their original. There tradition has preserved even many circumstances of the passion, which are not related in the Gospel. The spot is shown where Mary met Jesus bearing the cross; driven away by the guards, she took another road and was found again further on, following the Saviour. It is Chateaubriand who thus speaks: "Faith is not opposed to these traditions, which show to what a degree this wonderful and sublime history has been engraven on the memory of men. Eighteen centuries passed over, persecutions without end, unceasing revolutions, ruins piled up, and still ever increasing, have not been able to efface or conceal the trace of this divine mother weeping for her son!" The Church was well aware of the impressions felt by those who visited these stations, and with her constant tender solicitude she endeavoured to provide the same for all her children. Every town and village, therefore, furnished places where, in some degree, they might be experienced by those who had a devout heart and sincere contrition. There after the business of the day was over, when the Angelus had tolled, and the hour came when nature

makes that awful pause and inclines the soul to meditation, the pious youth or holy matron would steal softly from the crowd and repair thither, to shed the sweet undiscovered tear on the Mount of Olives, on the spot where Pilate cried *Ecce Homo* ! on the place where our Saviour sank under the cross, on that where he said unto the women, Weep not for me, and so on the rest. At Rome these were represented in the Colosseum, within that very inclosure where such multitudes of martyrs had followed Christ to the bitterness of his passion. On certain days the clergy, followed by a devout multitude, visited these places in procession, sung the litany, recited prayers, and delivered a short instruction. Nor was this all. Innumerable crosses of stone or wood were erected by the public ways, in the heart of forests and amidst the wildest scenes of nature, on bridges, which heard amidst the eternal murmur of the streams; the chaunt of nocturns in the night, and on the craggy summit of islands, that lay far in the melancholy sea ; that no place might be left without the symbol of human redemption, and the memorial of the passion of Jesus. Descending from the mountain of St. Bernard, under the fort of Bard, in a spot which seems made by nature herself for the destruction of an army, and where modern art now vies with her in appalling frowns, with what delightful surprise does one discover the peaceful images of heaven's mercy, the Madonna and the Cross!

These are the Catholic views of Pilgrimages ; they were opinions always held, and they are now held as ardently as ever. The church is still what she was before new creeds had arisen, and though times have changed, and men have changed, the faith which was old when dynasties were young is still unchanged, but ready to accept the fashions of this age in carrying out those pious customs of the older time ; and thus she now, as ever, avails herself of every phase of social life by which the interests of her Divine Founder can be subserved.

The Catholic Church wisely turns every bent of the human mind to the service of God. Thus it is that active charity has its home amongst the Sisters of Charity and the Sisters of Mercy ; thus it is that in another branch it is found amongst the Béguines ; thus it is that he who fears to take upon him the great office of Priest may become the instructor of youth amongst the Christian Brothers ; thus it is that Angela of Brescia, mourning over the loss of her dead sister, for the love

of that sister's memory becomes the instructress of young girls ; imitated by Françoise de Saintonge, her work goes on, and from the garret of Dijon, with its five poor girl scholars, springs up the noble Order of Ursulines, who are to women as the Jesuits to men, the best instructors in all that makes men or women what God intended they should be, his servants in their own peculiar spheres. Truly the Catholic Church does turn each bent of mind to the service of God ; and in Angela and in Ignatius, in Dominick and in Francis Xavier, in Vincent de Paul and in Philip Neri, in every order by which she gains servants for God and soldiers for his Church, the abiding, ruling spirit of Catholicity is, to secure volunteers for each particular branch of the Church militant, ever combining what is best in the natures of men and women, making them thus, what God intended they should be, "the supplement to each other."

Thus it is she now deals with our customs as with our natures, and the first class and the second class pilgrims are but adapting all things to all men, she being bound to be all right things to all men. About this very Society of Saint Vincent-de-Paul, with its charitable visitings and its committees, there is the same spirit, no "fugitive and cloistered virtue" "that never sallies out and sees her adversary ;" no slinking out of the race where the immortal garland is to be run for, and no dread to enter for it amidst the dust and sweat of the arena. "Spencer," says John Milton, "describing true temperance under the person of Guion, brings him in with his palmer through the cave of Mammon and the bower of earthly bliss, that he might see and know and yet abstain." So with this Society—and thus endeavouring to awaken into active faith the hearts of its members or of its friends, it organizes this Pilgrimage, and endeavours once more, without the tramp of mailed feet or the clash of armed men, to congregate around Christ's tomb united people solidarized by community of faith, sanctified by that celestial charity which comes down from God, making sacred and beautiful all hearts upon which it shines, whilst from Faith and Charity, Hope, soaring up to heaven, bears upon angels' wings the prayers of his worshipers to the throne of God.

ART. V.—ROGUES ALL? REALITY AND ROMANCE.

1. *Friends of Bohemia: or, Phases of London Life.* By E. M. Whitty, Author of "The Governing Classes." London: Smith, Elder, and Co. 1857.
2. *Freida the Jongleur.* By Barbara Hemphill, Author of "Lionel Deerhurst; or Fashionable Life under the Regency," "The Priest's Niece; or, Heirship of Barnulph," &c. &c. London: Chapman and Hall, 1857.

Mr. John Dwyorts of Liverpool, railway and general contractor, was, in early life, sent out to Rio Janeiro, to act as head clerk in a commercial house. His employer dying, John married the widow who was a "rather colored woman," with a bad temper, a good property, and a habit of cursing. *Dwyorts* escaped from her to London, she followed him; he left London and settled in Liverpool. In the course of time he was able to purchase an estate in Ireland, and to still continue his extensive business, happy in the Irish exile of the shaded *Mrs. Dwyorts*, who lived upon the property in a flannel dressing wrapper and slippers, but without stockings.

This happy couple had one son, *Diego Dwyorts*, and at the period when the tale of *Friends of Bohemia* opens, this son is staying with his mother, and the father is in London, bullying *Lord Slumberton*, who is on the point of starting to take possession of a West Indian governorship, either to re-pay him a sum of £29,000, or to give the hand of his daughter, *Nea Slumberton*, in marriage to young *Diego*. Neither *Diego* nor *Nea* ever had seen each other, and the match was made somewhat in the style of the celebrated one contemplated by the father of *Dina* between his daughter and the proposed "husband both gallant and gay;" old *Dwyorts* being rendered anxious for the match, because *Nea* would sooner or later become entitled to £100,000, which we must all admit to be a very large fortune indeed.

Lord Slumberton consents, *Nea* is willing, *Diego* has broken his arm, and cannot reach England, and so the whole party leave England, and one dark evening they arrived at the Irish estate. *Diego* and *Nea* are wedded that same night, and Mr. Whitty tells us all about it in two chapters which he very suggestively calls, *Forced Orange Blossoms*, and a *Wedding-Ring Too Small*.

Diego was unwilling to marry so hastily, and this the father attributed to conventional ideas about courtship, but in reality it arose from the fact that he was already married to *Therese Desprez*, "the daughter of a French fiddler, by a German milliner." She was small and pretty, she could sing, was well taught in her art, and reminds us of Piccolomini, and Anna Thillon, with a dash of Dejazet and *Mignon*, as one might expect them to appear after having spent six months with Lola Montes.

Therese comes to England, finds out *Diego*; he tells his wife about it, she escapes from him to some maiden relations; an heir to the £100,000, is discovered; old *Dwyorts* fails, *Diego* commits forgery, is detected by the impression left on pieces of blotting paper, is accused by the man on whom he has committed the forgery, fights a duel with him in Boulogne, shoots him, comes home, is shot by *Therese*, who is forced by terror of discovery to marry his valet, who makes her support him by singing, and after all it appears *Diego* had never been married to *Therese* as the officiating clergyman was a scamp who had assumed the character of a priest (the marriage took place in Germany), and who is accused of having murdered *Diego*, and is tried for the offence, and acquitted, the suggestion of suicide having been adroitly thrown up to the jury.

There is a peculiar air of romance about the trial, the wife of the presiding judge having seduced by the prisoner when he was employed as shopman in a fashionable jeweller's. He detected her in the act of stealing a trinket, he used this knowledge to gain a mastery over her mind; her husband is a barrister in extensive business; the shopman urges his love, and his power of concealing the fact of the stealing, a real *To Oblige Benson* is played, and the result is—twins.

Other characters are introduced but not of the slightest importance in developing the action, and we have too stories brought in in that style for the adoption of which, in *Joseph Andrews*, and in *Tom Jones*, Fielding is so much and so justly reprehended by Sir Walter, but we must admit that they are interesting, even whilst they interrupt the free flow of the narrative. The narrative is, however, very irregular, Mr. Whitty aims rather at amusing in the style of a "Gossiping Concert," or in recording his opinions after the manner of the *Noctes Ambrosianæ*.

We have the London *Dwyorts*, at the head of which is an old

foundery proprietor; and we have his family split up into sections, and quarrelling as only a family so split can. Then we have *Bellars*, an Irishman, sold out in the Incumbered Estates' Court, and now a literary man about town; *Graffe* and *Fassell* literary men, *Jack Wortley*, formerly in old *Dwyor's* foundery, then of Australia, then of Park Lane, having made a fortune by unknown means in the colonies, and who is a manly, sensible fellow with a good deal of *Tittlebat-Tilmouse* about him, and who is shot in a duel by *Diego* for having convicted him of forgery; and then we have *Kees*, *Diego's* valet, afterwards married to *Therese*, who is a very great rascal; and then we have *Lady Beaming*, an Irishwoman, twice a widow, and married at last to *Bellars*. We have two old ladies, the *Misses Holson*, one all piety and the other all science, and we have, finally, *Mary Daser* and *Saxon Wornton*.

The reader has thus an outline of the characters of *Friends of Bohemia*, and we shall presently do Mr. Whitty full justice, by inserting what we may call his word portraits, in his own strong, and energetic, and eloquent language.

These two books at the head of this paper, exhibit two most remarkable phases in the literature of this age. Mrs. Hemphill, with great genius, an eloquent style, and an agreeable subject pleases whilst she invents the scenes of a life which never was; Mr. Whitty, with genius, with a brilliant style, and a powerful battery of sarcastic irony does not please, even whilst he *makes* us read his photographs of the life which is; and Mr. Whitty's two volumes taken together are thorough proofs of how truly Byron writes in that alcoran of all Bohemians, the *Don*:—

“Tis strange,—but true; for truth is always strange;

Stranger than fiction: if it could be told,

How much would novels gain by the exchange!

How differently the world would men behold?

How oft would vice and virtue places change!

The new world would be nothing to the old,

If some Columbus of the moral seas

Would show mankind their souls' antipodes.”

But will showing us our souls' antipodes please us? Ought it to please? Mr. Whitty contends that we have, so to speak, two souls, an inner and an outer; and it is the inner, the antipodes of the outer, which he exhibits with all its

weaknesses, its littlenesses, and its loathsomenesses, its falsities, its vices and its shames, until the reader would, if he could, throw down the volume half in horror, half in disgust, with some such sentiments as arise whilst recoiling from Swift's lines on a *Beautiful Young Nymph going to Bed* or from *The Lady's Dressing Room*. We have written that the reader would, if he could, throw down the volume, but he cannot, and herein it is that we find so much cause for regret in the fact that Mr. Whitty has become a psychological morbid anatomist. As to story, the book has none; as to grouping of character, Mr. Whitty does not even attempt it; as for moral—but of that we shall write presently—but the characters, they are as unconnected as the portraits in a photographer's show frame, yet they are, to the back-bone, real men and woman, iron likenesses it may be, but still all the stronger when faithful as are these.

Why are they faithful, and yet disagreeable? because Mr. Whitty has desecrated his genius, he has made faithful, most faithful, portraits of a class, and leads his readers to suppose that this class represents the world, if the world were only honest enough to admit that it would be as these, if it dared. Now heaven forbid that all the world should be as the world of Bohemia. God forbid that all men should forget marriage vows when made; God forbid that marriage, as an institution, should be cast aside as a dream even though voluntary trial engagements, on liking, might be more pleasing to the Friends of Bohemia. According to Mr. Whitty there is neither honor amongst men, nor chastity amongst women, if men and women could only show their hearts, and become pre-adamites in mind.

Mr. Whitty knows, no man knows it better, that this is not true. He knows, and we know, that he has seen suffering endured for virtue's sake that would in old days have made men shout *A Heroine*, and women cry in bated accents, *A Saint*. And yet knowing this, knowing it thoroughly and throughly, he writes of women and of marriage in just such a tone as we might expect from the offspring (hermaphrodite) of Rousseau, and Aurora Dudevant, and whose French class book was *De Faublas*, and Ovid for a horn book.

But it will be said, we have praised these books of Mr. Whitty's highly and that this is harsh criticism. So we have praised the books (the genius of the writer) highly, and so

this is harsh criticism but applied to the mistaken moral. Mr. Whitty may say, look at Bulwer Lytton—look at *Ernest Maltravers*; so we do look at them, but will any man tell us that the worn out moral fallacies of Lytton are to be imitated or even appealed to by a man of Mr. Whitty's genius? We believe that Mr. Whitty honestly meant to write truth, as far as he knew it, *of a certain class*, not as far as he really knew it, and thus he has given us the opinions of a section as the opinions of the whole, and has argued from particulars to generals.

When we first read these volumes we read them from title page to finish, and read on without a stop or stay. We read, so attentive to the plot and story, such as they are, that we never thought of criticism, and it was only on a second careful perusal that we discovered why Mr. Whitty has written these books in a tone which has compelled us to express a dissent so strong, and so frequently reiterated. We do not deny that Mr. Whitty writes honestly, as he believes; and we are sure that he lays aside all claim to the slightest intention of writing with a moral in view, save such a moral as that of Juvenal, the showing of vices and follies as they are, and though the exhibition ought to deter, yet it may fascinate.

If we had any doubts on this point they are all removed, principally removed by a passage in the first volume, where at page 179 *Roper* says, "WE MEN, WANT MEN'S BOOKS. NOBODY DARE WRITE A MAN'S BOOK—A NOVEL, OR A POEM, OR A MEMOIR. WHEN A FELLOW WRITES, HE CONSIDERS WHAT CAN GO INTO A FAMILY—WHAT VIRGIN SISTERS CAN READ. SO, BECAUSE OUR VIRGIN SISTERS ARE IDIOTS, WE GET IDIOTIC BOOKS!"

Proceeding to write such a book, Mr. Whitty squanders his genius in the composing a novel, "A MAN'S BOOK," the hero of which is a swindler, the men of which are the raff and ruck of a bad cast of men about town, and the most attractive women of which are, to speak gently, and in a tone suited to "families," and "virgin sisters," demi-reps.

To one who, like ourselves, is an observer of the effects of popular authors upon the minds of those who aspire to become popular authors, it is interesting to mark the impress of Tennyson on young poets and of Thackeray upon prose writers of fiction. Mr. Whitty confesses an admiration of Thackeray; we need no such acknowledgement, it is patent and evident in

the entire work before us. Thackeray paints men as they are, so does Mr. Whitty; the first is, however, a painter. Mr. Whitty casts them in iron, hard, cold, and yet faithful—as we say in Ireland, “an ugly likeness.” Thackeray makes us see his men as they act, Mr. Whitty makes us see his men as they think; take for example the following from the chapter called “Sclavonic History,” in *Friends of Bohemia* :—

“It is to me a profound puzzle how the country stands such an aristocracy: rotten to the heart! Look at Lord Livard, whose case came out the other day—implicated in a Newgate calendar style of business, charged with something like murder, conspiracy, fraud—the leading journal actually putting it to the House of Lords whether they would re-admit such a man to take his place there. Well, is he down?—Not a bit of it. I watched all this season, and he was received all the better—ten times better—by our women. Never was so successful: caused two separations and broke off several matches, though he is bald, and sixty by Burke.

“Mon Dieu!”

“Talk of the profligacy of the Regency, ours or the French; why, we who are in the secret, know that ours is as bad as ever it could be. The fact is, we live as much in Paris as in London, and have got the vicious peculiarities of two wealthy capitals. Fellows talk in the papers of the low morals in politics—confidence lost in public men, electoral corruption—dead principles, confused parties, collusions, and connivances. But all that is just the consequence, the reflection, of the private lives and characters of the aristocracy—and the aristocracy includes the wealthy of all sorts.”

“But nobody minds,” said Crowe. “The Peer considers his Banker a rogue, and the Banker returns the compliment. We know that our grocer adulterates his goods—that our wine-merchant deludes us—that our tailor overcharges—but we go on: and when we give an order they never omit to calculate the great probability that we shall never pay. Sensible fellows! It’s an awful world.”

“I should have thought,” said Lady Beaming, “that the example our Queen sets, would have made the aristocracy rather declare for goodness, and that sort of thing.”

“Why, our court, you see,” said Roper, “is very negative. It is exclusive and self-contained. Nobody knows what it implies in politics. It does not set a mode or a fashion: it is without distinct style. Its etiquette is its own—it does not affect the general manners of the nobility. Well, then, though it is accomplished, it has no connection, personal or otherwise, with literature. In art, it has no school. It asks Landseer to dinner; but dogs and horses are going down in art. Dead game, on canvass, is a little too high for good taste.”

“Well, but the Queen doesn’t have improper characters at court?” asked Therese. “An actress that I am acquainted with—very popular, indeed—was complaining that she could not get to the Windsor Theatricals because Charles, Lord Kean, found out she had a little baby at nurse at Margate.”

"Pooh! the Queen is a sensible woman; she knows that she must affect a good deal of ignorance. Who has she more constantly at her dinner-table than Lord and Lady Oldlove? Well, do you suppose the Queen hasn't heard what every body may be said to know—that that couple were only married four or five years ago; but that the children of Lady Oldlove, born in the former marriage and now about in society, are so distinctly the image of Lord Oldlove, that the most ludicrous blunders have been made about them. The Queen does not encourage any lapse from virtue and decorum in her great subjects, and she may even be said to discourage the bad. If a Blessington or a Guiccioli turned saints as their hair fell off, she would not invite them to a party, and would not let them get at a drawing-room. If she hears of a Countess of Varius, whose viciousness is carried to insanity, she takes care to have her kept off, before or after, a divorce. But what can she do if she finds an able man conquering his way into her cabinet; whose wife has been an actress, and an actress in days when babies at Margate were not a crime in an artist:—is she to cultivate the cabinet minister, and cut the wife? Not a bit of it. Does she avoid an opera because the principal Soprano lives with the principal Tenor in an unhallowed but pleasant manner? No! it's all cant. The Queen is to be revered, and is revered; but she's in a political position, and it's not her business to do more than live as an example to Christian women."

This passage will show at once the whole spirit of the book. In fact Mr. Whitty has taken for his motto, Whatever is is Wrong; and doubtless much of what he writes is true, but what use in telling it in the cold bantering tone of a clever roué. He makes *Roper* say, "by jove I'd like to set the fashion of confessing myself a scamp," but has he, as an author, the right to inflict *Roper's* scampishness on "families" and "virgin sisters."

We do not want Mr. Whitty to write like Mrs. Ellis; we do not wish for novels written with a "moral purpose" and we prefer *Pendennis* to the *Women of England*, and we like *Friends of Bohemia* much better than *Celebs in search of a wife*, and although we cannot quite agree with *Mrs Adams* that "it is blasphemy to talk scripture out of church," yet we do think it not exactly in place in a novel; but surely it does not follow that its precepts are to be ignored, and this ignoring every thing rendering life sacred is the main error of Mr. Whitty's volumes.

We know from Sydney Smith that there used to be in Paris under the ancient régime, a few women of brilliant talents, who violated all the common duties of life, and gave very pleasant little suppers. A French woman seems almost always to have wanted the flavor of prohibition, as a necessary condiment to human life. The provided husband was rejected

and the forbidden husband introduced in ambiguous light through posterns and secret partitions. It was not the union to one man that was objected to, for they dedicated themselves with a constancy which the most household and parturient woman in England could not exceed—but the thing wanted was the wrong man, the gentleman without the ring—the master unsworn to at the altar, the person unconsecrated by priests—

“ Oh ! let me taste the unexcis'd by kings.”

We exactly describe the chief women of *Friends of Bohemia* and in fact the whole book, with its men and women, reminds us strongly of the *Mémoires de Madame D' Epinay*.

It is in his painting of women that Mr. Whitty's chief weakness displays itself. Demi-rep number one is called *Therese*. You can meet *Therese* any night you please at the Hay Market, or in Paris if you are known at the theatres ; she smokes, drinks, sings, plays, and breaks all the Ten Commandments, habitually

Demi-rep number two is called *Lady Beaming*, a widow in the style of the *Duchess of Fitz-Faulke* ; and demi-rep number one, and demi-rep number two appear to have adopted the manners of Harriet Wilson, and to have learned morality and sentiment from *La Dame aux Camelias*.

“ As to the ballet,” said *Therese*, “ I wonder women can be found to perform so nude : bah, abominable ! ”

Lady Beaming had a theory about that. “ Its all custom. It does not follow that they are immodest because they show their legs. Fine ladies show more of their shoulders and bosoms ; and, as a custom, without immodesty. In the East, the women do not show their faces ; in Europe, the legs are hidden off the stage ; the ballet girl may be as pure the icicle that hangs on Dian's temple : for the stage has its own rules, too. I knew a beautiful girl at Rome who sat as a model to artists, for hours and hours, nude ; she had been brought up to it ; saw no wrong ; felt no shame ; and inspired all with respect.”

“ Bravo ! ” cried Roper.

“ Then, there's no such thing as female modesty ? ” inquired Bellars.

“ The modesty is not so much, perhaps, in the *dansseuse*, as in the ladies who look on, and who know that the attraction to the men is the public exhibition of what is concealed in private.” This was *Therese's* suggestion.

“ Ah ! we bring up our women to be hard and bold,” said Roper.

“ This morning I visited my sister, who has grown-up daughters, and there they were in the breakfast room, with the morning papers left behind by Papa ; and yet the papers this morning were full, as you all know, of a revolting crim. con. case.”

Mrs. Jameson, writing in her *Common Place Book*, of Balzac's genius declares,—“His laurels are steeped in the tears of women,—every truth he tells has been wrung in tortures from some woman's heart:” it is a bitter criticism, but true enough, yet we do not find Balzac so painful as Mr. Whitty. There may be good men in the world, there may be virtuous women, there may be women and men who look on marriage as a sacred institution, so far as we learn from Balzac; but all Mr. Whitty's men and women make us fancy that the women of life are fools or devils, that all the men of life are undetected scoundrels, adding the practices of John Sadleir to the ruffianism of William Palmer, and taking as their exemplar in morality, no less accomplished a villain than *Tom Jones*.

“Je n'ay pas plus fait mon livre, que mon livre m'afaict,—livre consubstantiel à son antheur,” says Montaigne. We do not believe that Mr. Whitty and his book are “consubstantial,” but he has no right to compose such a book. There are some things better left untold; many things better left unseen, and we believe that society is better with “virgin sisters” even though to keep them it may lose “men's book's.” We know perfectly well that such stuff as Dickens has lately written, and which, from old associations of pleasure the public have bought, is quite enough to justify Mr. Whitty's sneer at books written for families and “virgin sisters,” but surely he should not try to make a jest of all which the world has agreed to consider advantageous to its happiness, and useful in securing its peace, leaving all religious feelings out of the question. We do not contend that all married people should lead, or can expect to lead, *Baucis* and *Philemon* lives: the dream of the lover will, in spite of everything, petrify into the reality of the husband. The swell of crinoline and the classic grace of bandoline are sadly dispelled by the limp of morning muslins and the hard twist of curl papers. The long, long evenings after the honey-moon are in awful contrast to the joyous evenings of courtship—the graces of the maiden fade away in the less guarded actions of the wife, and thus we all feel, as Fenton sings in *The Platonic Spell*—

“These and the rest you doated on,
Are nauseous and insipid grown,
The spell dissolves, the cloud is gone,
And Saccharissa turns to Joan.”

We have always thought that when Ovid wrote the pretty story of *Æsacus* and the Nymph *Hesperia*, and in which he tells how *Hesperia* flying from *Æsacus* is bitten in the foot by the serpent, he foreshadowed the fate of men and women, just as Shakspeare, in *Venus and Adonis*, foreshadows the fate of women and men; and if the reader will only consider these poems as allegories, and will substitute minds for bodies, passion for action, the whole scheme or mystery will be before him.

"Love?—I will tell thee what it is to love!
It is to build with human thoughts a shrine
Where Hope sits brooding like a beauteous dove;
Where Time seems young, and life a thing divine.
All tastes, all pleasures, all desires combine
To consecrate this sanctuary of bliss,
Above, the stars in shroudless beauty shine;
Around, the streams their flowery margins kiss;
And if there's heaven on earth, that heaven is surely this!

Yes, this is love the steadfast and the true,
The immortal glory which hath never set;
The best, the brightest boon the heart e'er knew;
Of all life's sweets the very sweetest yet!
Oh! who but can recall the eve they met
To breathe, in some green walk, their first young vow,
While summer flowers with moonlight dews were wet,
And winds sigh'd soft around the mountain's brow,
And all was rapture then which is but memory now!"

So sung Charles Swain, and so once thought we, so think we now, though the "shrine" has become battered, and the "dove" has moulted. When we object to Mr. Whitty's treatment of love and marriage, we object to it not as a dreaming lover but as one over whom this "small-pox of the mind" has passed, and who knows that from reason and duty come pleasures more lasting than those that spring from the insane maundering of a lover's passion.

When we first loved our present wife, Mrs. Lyttleton Coke O'Shaughnessy, we loved Werterishly, madly. We talked away the hours, and time flew too fast, and we lived only for love, and, as Buckstone says, in *Only a Halfpenny*, "the object we adored"—the laughing Irish eyes of Aurora Mullowney. We thought that all joy was centered in Aurora's smile, and that the soul of music was shed in the cadenced tones of her dear soft southern brogue; and as we gazed through the long eye lashes all but resting on the cheek that dimpled, in fun, we saw charming portraits of ourself reflected in the bright orbs; and so we knew what Drayton, and Herrick, and Donne, and Sydney and Beaumont and Fletcher meant by lovers "making babies in each other's eyes," and which Tom Moore, "when he sported most playfully on the breast of Venus" expressed when he sung—

ROGUES ALL? REALITY AND ROMANCE.

"Look in my eyes, my blushing fair,
Thou'lt see thyself reflected there,
And as I gaze on thine I see
Two little miniatures of me.
Thus in our looks some propagation lies,
And we make babies in each other's eyes."

Well, Aurora Mallowney became ours; we have now little Daniel O'Connell Richard Lalor Shiel O'Shaughnessy, and Joseph Napier James Whiteside Abraham Brewster O'Shaughnessy, and Thomas O'Hagan Richard Armstrong O'Shaughnessy, (all three so called with an eye to patriotism or possible attorney-generalships) to bless us, and Aurora is no longer Phillis, we are no more Corydon. We have less of selfishness, that is of egotism, than when we thought the world would be Eden if we were only married; but we were fools; Eve in a corset à pompadour, and Adam in patent leathers were soon disillusioned, and we became—Mr. and Mrs. Littleton Coke O'Shaughnessy.

Many and very many a Daphne and Chloe have paused in rapture when reading *Corinne*, and have read and re-read that sentiment which relates of the sapphic heroine and the spooney hero—"Ils commençaient à dire *nous*. Ah! qu'il est touchant ce *nous* prononcé par l'amour! Quelle déclaration il contient timidement et cependant vivement exprimée"—beautiful says Fanny Flaherty, beautiful says Mary Jane Smith, beautiful says Eliza Macgreggor; their lovers all say beautiful, and there is a diapasoned chorus of "so true." And they are right, all are right, and the first time that men and women speak of "we," as Madame de Stael has put it, they have the rosy beaming of the

"——light that ne'er can shine again,
On life's dull stream ;"

but the "*nous*" can be as "touchant" after marriage as before it. If we loved Aurora O'Shaughnessy as demonstratively as we adored Aurora Mullany, all our friends would look upon us as a lunatic; even Aurora herself would side with them, for, as Sam Lover says, "try the ante-nuptial talk after you're married, and see all the small change you'll get out of it."

But if we and Aurora agreed to take a Bohemian and Cassino view of marriage, how would we be the happier for it? True, we find that we have not married Venus; and she discovers that

we are not Apollo : she proves that nursing does not develop the lines of the figure advantageously ; and I have shown her that advancing years require expanding waist-bands. But what of all this ? Would she leave me to-morrow if she could ? Would I abandon her ? No. My neighbours, Murphy and O'Leary, and all the other people with whom I am acquainted, are all in the same position, all satisfied, if not enraptured.

But, Mr. Whitty will say, we just prove his case for him ; they *should* be all enraptured, with the particular she, and if not, and if mutually prepared for the separation, should be at liberty "to find" if they can,

"That repose which, at home, they had sigh'd for in vain."

Because this is not allowed, because the world will not adopt Mormonism, or Mahometanism, or some other species of polygamy, we are all wrong, according to *Friends of Bohemia* : because we will not openly profess the principles, we see so many pretty broughams in Hyde Park, containing pretty faces, setting off pretty bonnets, and yet the bonnets and the faces are only seen in the Parks, or at the Opera, or at Greenwich, or Richmond, and always with men who do not want to be known. It is true, very true, that all these things occur, and will always occur, but is it because of marriage ? We consider that the case resolves itself into this—Because many men are forgetful of their marriage vows marriage should be voted a bore, argal, down with the Bible, with woman's devotion, with man's honor, with all that makes family ties sacred, and up with George Sand, with the *La Dame aux Camélias*, with the *Friends of Bohemia*, and the easy virtue of the Argyll Rooms, and let us all say with Mr. Whitty :—"I RESOLVED NEVER TO MARRY. WE ARE TWO GROSS FOR THE INSTITUTION. THE MARRIAGES THAT ARE MADE IN HEAVEN ARE FULFILLED THERE."

Kotzebue says, that love between parents and children is the effect of nature, that love between brothers and sisters is the effect of circumstance, and that love between husband and wife is the work of Heaven. We forgive the monstrosities of *The Stranger*, for the sake of those truths. If love between husband and wife is the work of Heaven, surely it is not expecting too much if we hope that their loves are fulfilled not alone in Heaven, but likewise on earth. "Le temps qui fortifie les amitiés affaiblit l'amour," wrote La Bruyere, but he thought of love as only a Frenchman can think of it, to deride it or to

sensualize it: in truth these marriages which are made in Heaven, are strengthened by time, for love grows into a loving friendship where two hearts beat but as one, and high above age, and want, and pain, and sorrow, with their clouds and mists shines the light of love, and whilst men are men, and women women, every throb of the heart, every aspiration of the soul will be in unison with Tennyson's thought, proclaiming to all time, that

"Love is Love for Evermore."

We have dwelt upon this topic, because it is one on which Mr. Whitty is quite astray, and seems to have saturated his mind with French morality so thoroughly that all English feeling, and the ordinary opinions of Christians on Marriage seem to have become entirely obliterated. God knows Doctors' Commons is busy enough, and now that Mary Wollstonecraft is half forgotten, Mr. Whitty should not import the kindred fancies of Dumas Fils. In brief, we must have loves, and failures in them, "Saccharissa" will become "Joan," and thus it must be till we shall have Lady Mary Wortley Montague's septennial divorce law adopted, or until the world shall have resolved itself into a monster Argyll Rooms, or Cremorne Festival.

Would the world be better if this change did take place? we think not; we do not believe that the world would be, or could be, improved by no churches, no marriages, no respect for what the world, extra Bohemia, calls morality; to think otherwise would be to make all men hold that opinion expressed by the man in *Roderick Random*, who declares of poor *Roderick*, that "one might see with half an eye the rascal has no honesty in him by his going so regularly to Church." But Mr. Whitty wants no church; his Irish Catholic Bishop, *Emmett*, is a Rationalist, lingering about the path of Infidelity. We have heard some Catholics object to *Emmett* as an attack on Catholicity, but we do not read it thus, but as an attack on religion generally as opposed to Naturalism. *Emmett* tells *Bellars* that few wise men hope for other happiness than to secure the happiness of the "foolish mass" and to produce such happiness, "priesthoods and artists are made;" not that priest-hoods are to have their foundation in faith, but only in sentiment. *Emmett* is talking with *Bellars* and says:—

"The duty of intellect is to join in the government of mankind—by religion, literature, art: all who are thus governing are priests or artists. These are not of society: and social position is unne-

cessary to them. The great minds that founded our church, gave us the government of the world by isolating us from the world. They forbade us marriage: they sentenced us to a morality and a system; not that which we preach to the world. You cannot be a priest, in my sense. Do not—you who, still young, have got that London cynicism of old men—surmise an hypocrisy. I tell you, Brandt, that I do not believe in the mysteries with which I wield the superstitions of my people. It is enough that the Church is necessary to humanity, such as it now is: and I am of the Church, heart and intellect, her faithful son. But you are fitter for another priesthood—journalism and politics. I know you, and have compared you with other men. Where is that energy that made you the scholar? Recall it; and you will be a great man, in the great sense: you will be one of the class that governs."

"Father, intellect does not obtain success even in priesthoods. It is the men who impress themselves on other men. I am asked to dinner; but I don't get on."

"Character is conduct—caution. Burleigh was probably a naturally reserved man: but it is not difficult in a man of sense to be patient."

"You do not say that character consists in holding your tongue?"

"A good deal. Character is reliableness: convincing other men that you can be trusted. I should put it differently to an older man: to a man of your age I say—caution."

"Yes—age! Here are you, fifty or so, with all your wisdom and goodness, eloquence in the pulpit,—why are you only *now* a bishop?"

"Rome has its intrigues. There is a freemasonry in age. It is old men who decide your fate, and they do not comprehend you—are not certain that you comprehend them, if you are much different from themselves in age. But youth, now and then, has its chances."

Supposing this to be a true portrait of any Catholic Bishop; supposing any Catholic Bishop could be such a supernatural concentrated essence of donkeys as to talk thus, even in "laxity of talk," to a young, blazé, scoffing, sneering philosopher such as *Bellars*, and supposing that every Priest and Bishop, Parson and Archbishop, with all the Deans, and every Rural Dean, had all agreed to carry out *Emmett's* system of philosophic humbug, a humbug which has ruled the world for ages, and which will rule it as long as the world exists, would the publication of Mr. Whitty's opinions make the world happier or better? Scoffing at, and sneering against, the old recorded faiths, or, as *Bellars* and *Emmett* would call them, superstitious, of the world never yet did good, and never can do good. A true philosopher would try to turn the superstition to his own account, a believer would turn it to the source whence shone his own belief. When Voltaire, dying, said that God would forgive him because forgiveness was God's

trade, he spoke like a drunken Chartist cobbler, and had no possible useful end in view. When Mr Whitty makes *Bellars* and *Emmett* talk rationalism he has no useful object in view; he cannot hope to drive the Catholic Bishops into the Priests' Protection Society, or to write Paddy into reading *The Reasoner*, or to the adoption of that pleasant passport to damnation, Mormonism.

We do not, as we have already stated, intend to charge Mr. Whitty with holding the sentiments developed in his book; but we do charge him with having written that which should never have appeared. The struggle to do right is hard enough, and there is no reason for greasing the rapid wheels of Do Wrong. We have frequently heard Victor Hugo reprehended for his sketch of *Claude Frollo*, in *The Hunchback*, yet *Claude* struggles because he believes in something, and he falls at last, it is true, but he falls crushed and self-hating. *Bellars* and the other *Bohemians* fall, but they never trouble themselves about it, for they believe in nothing but self, and are, perhaps, like the French infidel who wished that he had been born a Catholic that he might have the new pleasure of a new sin by eating meat on Fridays. Poor *Claude Frollo*, with his terrible wall of inscriptions, and his

ΑΝΑΓΚΗ.

Αναγνίστα.

Αναγνωφάγιστα.

is very unlike our Friends of Bohemia, who float away upon the tide of life, Pleasure at the prow, and Folly at the helm, Passion for skipper and Vice for super-cargo, with, for motto, no awful monosyllables from a dead language, but the living, swaggering

VIVE L'AMOUR, CIGARES ET CONIAC.

LIBIAMO.

We do not enter upon the consideration of Mr. Whitty's politics: he believes every body to be wrong; his perpetual Whatever is is Wrong prevents his seeing any good in any party, and he writes of statesmen, or, if you will, statesboys, as we might suppose the London Correspondent of *The Liverpool Albion* to express himself after a night of dissipation, and very much in want of a strong blue pill.

Turning for the present from criticizing Mr. Whitty's book, let us do that which is much more agreeable, namely, the pre-

sensation of some of his wonderfully able and accurate sketches of men and things. We are the show-man, and first, reader, you have what we call

LONDON CABS AND LONDON NIGHTS.

What a resource is a cab! But what an injured race are the cabmen! They are the sailors of great cities:—sailors in the uniformity of their reckless attire, and their countenances reddened and hardened by weather exposure, and in the peculiar slang with which, using professional terms, they speak of all mundane affairs. They are sailors in their republican contempt for worldly dignities and dignitaries. As sailors have deep contempt for all who do not understand ships, cabmen despise any intellect unconcerned with horses. They are sailors in their intense acuteness and decided inclination to swindle. Yet sailors—dirty, improvident, dishonest—have a poetical position among men; and, except among shipowners and captains, Jack has the merit of a jolly dog, innocent as a puppy, prettily playful. Jarvey has no novelists, and no Dibbins; for the street is not the sea, and we miss the sixpences extorted from ourselves. When we sit in the cab, and look at the statue-like heap of old clothes on the box, steering us through the traffic of London, we feel towards him as if he were the inevitable foe—as Cape settlers regard a Kaffir—as Christians once regarded the Jew. His affecting devotion to his horse, whom he drives slowly in conviction of the risks of a rapider pace, meets with no sympathy from us: we consider the quadruped as in league with his conductor.

It must be a painful trial to the Christian heart of a Prolocutor, or other circumlocutory divine, as he drives from Convocation to the Railway station in the cab. How he nerves his manliness and his dignity for the decided encounter with the cabman at the end of the journey! For he knows the cabman, reflecting as he goes, is arranging the overcharge; and his reverence cannot love that cabman as he loves his bishop, his wife, and his other neighbours. The female sex must endure bewildered emotions in their transactions with the cabman. The cabman in this respect is like the Eastern eunuch: he has no feeling for, no pity for, weak woman. He may be a good-looking, brisk, broad-shouldered, young cabman; but did any lady ever stop to gaze as he chaffed and whipped his way along the Strand? The Jolly Young Waterman of History naturally took to the cab business when the river was given up to the steamboats; but no account is given that he ran away with any rich citizen's daughter towards the close of his career.

Yet, what a resource is the cab! "Cab, sir?"—it sounds, that hail, as if the Good Samaritan was at your service for sixpence a mile. And, on the whole, it is much better to organize Good Samaritanism so that it shall pay.

When a gentleman who has assisted in suppressing Sunday music in the Parks, retires to his couch on a Saturday night, it is, let us hope and pray, with a general notion that the Sabbath commences at about the hour at which he will be looking for his breakfast next morning. Consequently, what to him are the Sabbath desecrations

that set in at 12.1 midnight? The law and the police have closed the public-houses; and Mr. Jones is satisfied.

Yet a Sunday morning in London is a sad affair! As the light of God's day breaks, what sights are in the streets! Like the houses, which stand out in the air—free for some hours from smoke, clear, well-defined—Sin at these times is acutely visible—sharply ragged, distinctly loathsome;—well-settled sediment of a great capital—kissed by the sun like carrion. There the sinister daughter of Joy reels from coffee-house to cab: brilliant, as other beauties clothes under gas; but now bruised about the gaudy bonnet, unkempt about the robe, tainted about the face. Don't shrink from her! She is a Priestess: a Vestal that came out to watch the gas: a servant of the state, according to statesmen over their wine. And, miss, when you go to Rome, go into a certain gallery, where you will see a piece of sculpture representing Venus trampling upon Cupid—you can usefully philosophise on that. The reveller who guards her, or jeers her—and, rather than not any notice, would she have insult: such is the strange craving of the class—is battered, too; glassy, about the eye, that in the morning is to meet that of mother and sister; jaded in attire, worn out in walk—a disastrous spectacle for the centre of the universe to flame upon.

What a row is here, after greasy debauch! Blood—blood distilled with gin—is drawn: a cry, "To the Hospital!" But one cab on the rank: the horse asleep with head askant, dreaming of when a lady rode him, when a fragrant stable held him, when pastures soft to the feet and sweet to the nose were caressed by his whilom white teeth. Where is cabman? Asleep, inside; wrapped in all the voluptuous uncleanness of that many-caped coat, which, like an oyster's shell, haply shows the cabman's years. "Cab, sir? yessir:"—How glad is the gentleman who wears a shirt perfumed as he went into the opera box—now, alas! again otherwise perfumed—to get into the tent pitched on wheels, to place his curled locks in the corner, warmed by the occiput of uncombed Cabby, to sleep till he is landed at the door of his father's mansion, or his own retreat in solemn and suggestive chambers! Blessed arrival—he is friendly with Cabby! In all the meaning of the maudlin, he gives a handful of silver, and, as Cabby steadies him up-stairs, where goes his watch? Cabby drives fast by the policeman, on his way to the stables; for the policeman, solitary pacing in the now empty streets, as a young knight watching his armour, would have conversation: at these hours there being a truce between the antagonists. The policeman gazes long down the street after the hurried cab, wondering would it be worth his while to run after it, and make a charge; and behind policeman creeps out, at a favourable moment, the released lover from that respectable-looking house.

And, the while, bishops snore and statesmen sleep; and we all pay our taxes. And the cats slink home through the areas; and the birds reappear from impossible roosting-places, and begin to sing. The Lord has given us another day; and His providence is upon us. Lo! already—"Milk!" Let us arise and shave.

Next we have—

LONDON EXTERIORS.

"Do you see this stout gentleman coming along? That's Mr. Jacetick, the renowned parliamentary agent. He buys and sells England for the Whigs. He would not do it for the Tories: he's a party man. When you want to get into parliament on liberal principles, you go to Jacetick, and he says—'It will cost you £3000.' And you give him a cheque; and he lands you, if he can (and he generally does what he undertakes), on the floor of the House of Commons, not eager to take the oaths, but frightfully anxious to get to a seat. He's the broker of our national disgrace—of our English decadence. He ought to be a villain? Well, he isn't. He says, on all occasions, that it's a shameful system, and that he's sick of it, and that he wishes it done away with. What would you have? It's his business to return members, and he does return members, as 'instructed,' and by the well understood means of the day.' He's an honest man. He would scorn to go into the House of Commons himself: he *knows* it. Catch it ever attacking him, in its most fantastic purity-periods: he's got half of it in his pocket, and knows a variety of things about the other half. He's for the ballot.' Why, do you think? The Christian says, 'Deliver us from temptation.' The profounder parliamentary agent says—'Render sin profitless.' His theory is, that you wouldn't give a bribe to a man if you were not sure to know in the end which way he voted. A low view of England, isn't it? Yet he does not look sad—walks proudly. See, the beggar has attacked him; a beggar can he never stand; he looks about for the policeman, and will report the policeman to Bayard—I mean Commissioner Mayne."

"Who are those over-jewelled men, driven so dangerously past in that Hansom cab?"

"Socrates and Alcibiades—two great Greeks in the city. They have promised the cabman five shillings extra to catch a train: they are off to Constantinople on some great speculation by the Dover mail. English merchants would have taken a cab in time, and been at the station a quarter of an hour too soon. But five shillings extra represents the system by which the Greeks are beating the British in every trade. The five shillings does not fall on individual shoulders; it is charged to a great Greek guild, numbering more members than Athens had citizens, and spread over Europe and reconquering the whole of the Mediterranean trade, certainly. Their secret is organization. The competitive Briton, sticking to his small individuality, and with his old-world faith in 'connections,' wonders why Plato, a Greek corn-merchant on the same office floor, can drive a mistress in a splendid mail phaeton. They work together, the Greeks. They live together, too, in London. And they are all sensualists: they all spend the money they make—and they spend it in splendid vices. They beat the wealthiest of our aristocracy out of the field among the sellers of crack wines, crack horses, crack '*femmes entretenues*.' They are 'queer fellows' even in trade; which only half our traders are; but, as a guild, they are, like our corporations, without conscience as individuals. Living in a foreign capital, where the public opinion is not their public opinion, and envied, hated, and denounced, because

of their opinions in favour of the Russian emperor's policy, they do not scruple to traffic in us, and exceed us, and humiliate us. They tried to prevent the war. But, as they couldn't, they have made more money out of it than our traders have. They supplied the army they wished to see conquered. Socrates can't read, and Alcibiades is very ugly. But Socrates is unmarried, and gets good invitations; and Alcibiades is famous for his cigars, having bought up one whole year's famous growth of Cabanas. Aspasia smokes them at his rooms."

"Who's that tall pale man the dirty little man is talking to?"

"That's Blemish, the great railway personage. The little dirty man is a lawyer's clerk, who has just served some notice of action on him. Singular career, Blemish's! When those glorious facts, railways—which advance civilization, annihilate time, and so on, and which are now all rotten concerns, a dead loss of fifty per cent. to the original proprietors; which have created in London a district of villainy—the railway engineers' district in Westminster—more really foul than Alsatia ever was; which have proved that, apart from his geographical position and faculty as a sailor, the Briton really is rather a simpleton, incapable of practicality—when railways first came up, Blemish bought a bog on a coast. Fact! Having bought the bog, he advertised that the water constituted a natural facility for the construction of docks, and that docks, and railways to the docks, advanced civilization. It was a hit. Blemish became chairman of the railway, and sold himself his own land; chairman of the docks, and sold himself his own swamps, and was rich. His character suffered, but that did not prevent him going into new speculations; and he's in everything. They are beginning to look shy at his bills; but he'll turn up all right. My belief is that he has buried his treasure, and, if he goes through Basinghall Street, will buy a province in America or Turkey.

"Blemish only cares about material pleasures. He's an M.P., and they cut him rather about the House—he has done such odd things. He doesn't care. He lounges, with his hands in his pockets, about the lobbies, and winks at you, and dines with Socrates, and is a thoroughly happy man. I have met him. I never met an abler man—pure, genuine, masterly brain. Though very unscrupulous, he is very generous. He would lie awake of a night to 'do' you out of a ten-pound note, and he would lend you £500 to-morrow. At his own parties—a great house in Langham Place, where there are no men-servants, but flocks of pretty female servants, in ribboned little French caps—he gives you wine that cost ten pounds a dozen; and he perspires with agony of apprehension when playing whist at a pound a point. His only weakness is for marrying a peeress in her own right, and he has over and over again instructed his solicitor to look out for one: age no disqualification."

"Who's that? A bishop, surely."

"The Bishop of Bay. He rises at five every morning, and is never in bed before midnight, and will go into no society. What do you think his occupation is? Getting subscriptions—every bishop has a natural tendency to get subscriptions—for a Juvenile Reforma-

tory. Arrange about the young pickpockets, and all will be right with his country, and after all these centuries the Redeemer will get attended to on the earth. But he won't stick long to that: he has a new philanthropy every year. His last was to collect ticket-of-leave men, and marry them to widows over forty years of age, and emigrate them to Australia—hoping that the counteracting influence, you understand, would induce the colony to receive them. He regrets the divisions in his church; but does not conceal his opinions, that if nobody made a row about a schism when it occurs, the schism would soon be forgotten. He is not popular with his clergy; but you bishops can't expect that. They say he knows nothing of Greek, and he says it is much more to the purpose to know the statistics of the Birmingham jail.

"Look at that humiliated object, crawling along with his bent back, showing the bones protruding so as to endanger the skin and the cotton shirt. That's a Chinaman, you see by the Tartar face; picking up a penny a day from Strand passengers who knew him in his heyday; for he's had a heyday, and was a hero of the Strand. He came over in the junk that used to be such a sight in the Thames, and when the junk was a novelty and paid, the Chinese crew lived in fine style. This was the comic man, and was quite a lion of the day with the cabmen and women. But the junk has broken up and is gone; and you see John Chinaman, who formerly had plenty of money, and spent it freely, and was barbered daily for twopence into shininess, and dressed in all the colours of Manchester and was happy, has sunk in the world. That's the usual fate of the man about town: after a year or two, you'll find them all very much in the condition of John Chinaman. There ought to be a society for decayed men about town."

"Who's that?"

"A judge. Doesn't he seem complacent? He is famous for improper adventures, and all improper stories raised in London are invariably connected with his name. But it is edifying to hear him sentence a prisoner to death. I told him so once when I met him at dinner, and he said—'Ah! touched the chords of your heart, did it?' A pleasant man. The spring assizes have told a dreadful tale of the depravity, the crime, the moral squalor, of our British population. But he has quite recovered it, you see, and has been jesting this morning, as usual, on the bench at Westminster: of course, he's very sorry; but he takes the world as he finds it. Why should not there be bells on the black cap—out of court?"

"There's the Duke of Beadleland. He lives in No. 1, Decencies Terrace. An upright, admirable man, who always wins the cattle club prizes. He has been raising his rents lately, in consequence of the extravagant conduct of the Marquis of Bumble, his eldest son, and many a hearth on his broad estates has been made sad this year. But evidently now he has had a most satisfactory interview with Mr. Coutts, and the Duchess is bringing out two daughters, the fair Ladies Laces, this next season. See, he gives that beggar a copper, and rubs the fingers of his glove together, shaking away the momentary touch of the mendicant.

"Here's a man! That's Shylock, the theatrical man, who is a blessing to London. They say he is worth £100,000—and yet when I went, ten years ago, to see a friend in Cursitor-street, Shylock was a bailiff. I dare not give you an idea of what Shylock has gone through. Aspasia says she used to know him as 'an agent.' He kept 'Night-houses.' He was the proprietor of that Juridical Bowlesque—the 'Wehngericht.' He was the Longmans of unsightly literature in Diabolus-noster Row. What wasn't he? Any thing to turn a penny—the dirtier the better: it weighed more. He now provides elegant entertainments for London; lectures on Shakespeare and is partial to tansical glasses, and has Wilhelmina Skeggs as a bloomer in the bar of a Strand tavern. He says that, if the bishops would put it in his hands, he'd make religion 'the popular go,' and fill the churches, and bring 'em down, sir. So he would. He offered the Censor of Plays (a Marquis!) a £50 note, and to put him on the free list, to be allowed to bring out a play of Dumas Fils. He wants to know why he isn't allowed to play Mrs. Behn's dramas. 'What we wants, shir, he says, 'is raal life.'

"There's Mr. Crowner, a veritable London man, as well known and as much part of the metropolis as Temple Bar, a famous man in London, and outside London unknown. For we have our parish heroes, just as Little Peddlington has. Crowner has lately got up a Commission of Chemists, and has proved that all our tradesmen adulterate all their goods. That ought to suggest a revolution, ought it not? But it hasn't made much sensation; and Crowner hasn't been assaulted or poisoned. The fact is, we expect to be swindled in England. Our constitution, in which nothing is what it says it is, prepares us for that. We do not like what Shylock calls 'the raal thing.' A House of Commons really representing the people, and a sovereign really having power, would disgust us. When we ask for coffee, it is understood that we mean 'with a little chicory.' When we say a Briton never shall be slave, we mean that he shall never be turned black—that is all. It is a cant against the poor tradesman. The British tradesman, like the rest of us, sets to work in the spirit of the British Constitution. Ali Baba, in Britain, takes for granted, when he goes to market, that there is a great proportion of thief in each jar.

"Adulteration is self-defence. Sham begins and sham ends. The sham sovereign who has, or is supposed to have, no power, goes with sham beef-eaters and sham yeomen to open with a sham speech a sham parliament, a sham sword-bearer on one side of her, and a Lord Chancellor with sham hair on his head on the other. Peers there have a sham costume on; and some of the Peeresses have sham hips, sham heels, sham cheeks. They come and go, all there, in carriages emblazoned with sham animals, couchant and rampant over mottoes that are shams, and that nobody acts up to. The Lord Mayor's show, and his men in armour, and his barge, and his Temple Bar keys, are shams: and he's a sham, for he pretends to be a result of civil and religious liberty; while the real truth is, not that the Jews have got up to be Lord Mayors, but that the Lord Mayoralty, whom scarcely any citizen will take, has gone down to the Jews.* Our Cathedrals

* This was written in reference to the excellent Mayoralty of Mr. Salomons.

are shams: we can't get into them without paying, and we wouldn't go into them if they were costless. Our be-pewed churches of the creed of human equality are shams; our be-epitaphed churchyards are shams. Our church bells are shams; the neighbourhood uses them as dinner bells and luncheon bells. And nobody is ashamed of sham. Look into the window of that female garment warehouse. Look at the ostentatious display of 'silk hose' that are cotton to within six inches of the instep; at the bustles, and the crinolines, and the frizzes to swell the hair out. All we Bachelors get to women's toilet tables when we choose, by looking in at these windows. I've stood by the hour at this shop-door to watch women entering to purchase shams; and I never saw one lady blush yet."

Next, reader, you have

PARK LANE, LOW DRESSES, AND THE FAITH OF BOHEMIA.

MR. JOHN WORTLEY lived in a sparkling house in Park Lane.

That airy street of closely wedged whims, in which conventionality seeks to individualize itself, and where the genius of architecture seems to have enjoyed a freaky reaction, after building its uniform way up from the east. Studying Park Lane from the long walk in front of it—laid out as a torture for plebeian pedestrians, that they may be near the tantalizing rose, to get the voluptuous perfume of full-blown fashion—one gets out of that most terrible atmosphere of London—the Trite. The houses in Park Lane are houses of cards rather than of bricks. The Englishman's castle generally appears a heavy rated donjon, dreadfully crammed with dark back parlours. In Park Lane you cannot conceive any thing behind that light paste-board front but dainty drawing-rooms, gossamery and gilt boudoirs, semi-transparent statuettes, crystal lamps, velvet carpets, porcelain baths, with crisp beauties lolling, languishing, lavatory. Roast beef of Old England is surely never in these cages? can the singing-birds wear flannel petticoats?

You decline to admit the theory that the male sex may occupy these feminine mansions: they are ladies' houses. A father of a family would look as ridiculous in one of those houses, as he would in a crinoline, or playing the harp. I would as soon see a beadle as a footman there—those flaming vermin of luxury. If there are such things going on there, it is an anomaly. There may be skeletons in the houses, rattling in the east wind, and closets to hold them on each floor. *Atra cura* may be lolling against the door post, to mount after the brittle beauty when she comes down to ride her mare in the park. There may be a corporal's guard of wolves pacing in relief before the porch. I don't choose to see. What would the drama do without the "aside?"

When Actæon came upon a party of ladies with low dresses on, at a water party, he shouted—"What beautiful busts!" He was an ignorant young fool. Better bred in towns, he would have leaned over Diana as she sang *Custa Diva* at the piano, and pretended to see

nothing but her hair-bandeaux. We need our little illusions. Does it do Mr. Williams, M.P., worthy statistician that he is, any harm, that my wife believes angels are whispering to my child when the little thing smiles in its sleep? I like to believe in Park Lane; it is so pretty, so *bizarre*, so genteely gothic. I daresay Clark, Fare-brother and Lye, or Asmodeus, could undeceive me. I daresay the cook could, or the footman: granting a footman. But I walk up and down; and if a lady's maid were to brandish that sad materialism, Lady Evangeline's flannel petticoat, from the second pair front, I would shut my eyes. In an age of statistics and scepticism, which always go together, let us make fast our faith somewhere. I believe in Park Lane. I believe the houses are haunted by fairies, with assumed names in the "Court Guide." If the policeman would let me, I'd hire a German band some moonlight night, and serenade them. They might be eating lobster salad, or concluding their preparations to turn into bed: what then — who thinks, during the raptures, of catching a cold under his mistress's lattice?

Every one has his Park Lane, his Dream-land, beyond the bills of mortality and the beat of Z, 99. What is gained by disbelieving in addresses not found in the Post-office Directory? Don't go to anatomical museums. Saccharissa, skinned like the martyr lady, would not be as pretty: but, nevertheless, go and purchase presents for her at Atkinson's or Rimmel's. Don't repeat too often that we must all die: her lips are not dust at present. There's a glorious landscape stretching away before you: and what if there be snakes in the grass?—step out boldly. The sanitary reformer will tell Leander that it is bad for health to sleep with Hero's head on his breast, for that they—however they bathe—breathe poison, and are killing one another. Don't attend to him, he's not poetic; or, like Sam Rogers, he's partial to the flesh-brush, and not fretting.

I don't see that the world is much wiser or much happier for facts. I think the Greek shepherd, singing under a blue sky containing to his eyes something more than gas, was happier and more reverent with his mythology, than our Socinian with his one God. I don't object to steam-engines, but I would like to keep the superstitions, too. I don't see why astronomy and astrology cannot be alike satellites of truth.

Analyze the water of the Thames, and, instead of river nymphs, you would find feculent molecules; and how much better are you off? You scorn superstitions, and you come to adulterations. You reduce every thing to realities, and you live in London or Manchester smoke. Put down barbaric pomp by all means; the Orders of the Garter and Bath, judges' wigs, beef-eaters, javelin men, the Lion and the Unicorn, heraldry, the *Honi soit*, the *Dieu et mon Droit*: but if barbarians are left behind? Don't believe that God's work, all these anguished ages, is consummated in the prosperity of the manufacture of cotton velvet by Spitalfields weavers, who starve the while. The electricity was not given merely for ordering a hurried supply of false hair, cut from Breton girls' heads for a few francs the *chevelure*, wanted for the Queen's state ball at Buckingham Palace. Professor Jones knows more than Thales did; but I still can credit

a barbarian, with pupils more or less brought up as savages, though neatly clothed. And while the energetic Anglo-Saxon is extirpating the Kaffirs, I will enjoy my fetish in Park Lane.

Faiths are onions. The Rev. Mr. Spirtgong and his flock, who revel in crimson and sulphur panoramas of eternal torments, have eaten of the same onion, and the congregation do not object to the preacher's seasoning. The Park Lane onion has its party, too. It is an eschalot, a delicate onion, fragrant rather than mordant; it is not a string of coarse stinging bulbs, but a garland of refreshing buds. Its does not bring tears to your eyes, but water to your lips. It is less a flavour than a *soupeon*.

Next we have a Hampton Courter,

Mrs. MULL.

A dreadful old woman the Honourable Mrs. Mull; toothless, tottering to eternity, but still intensely selfish, unsympathetic and with all her staggering soul in the meal that she now chewed. Drive her back fast, badly-liveried driver of the genteel fly: assuredly she is of no use outside the Pauper Palace. Her gentility is so frightfully perfected, that humanity can get nothing out of her. But don't jolt her, driver, as she stumbles uneasily on the seat, hard to her fleshless age—no, and don't smoke; the whiffs would get in between the crevices of the clattering glass window, and titillate her into activity that would inform on you with your master, dependent on gentee connection. Land her gingerly at the Pauper Palace; and oh! domestic there, take care of her. Help her up the stairs to her own cosy cell. Remove her Indian shawl, costly covering of that withered frame; take off her front, and give air to her heated scalp; exchange those easy shoes for easier slippers; let her rest on the sofa; give her refreshing Bohea; listen, maid, with deference to her cross gossip and garrulous complaints; put her to bed, to her downy bed, in good time; mix her negus nicely; hush, as she doses. For, surely, God has some purpose in having such beings on the face of the earth;—and tenderness to the inscrutable. Mystically perfunctory perhaps is the Hon. Mrs. Mull.

She lived a pious life, according to the Decalogue. Well off, she repeated the eighth commandment with unction. The seventh she gave out with a clear conscience—at her age, with safety. She was quite satisfied with herself. "After all," she said, "I think the drive to Brixton did me good; I slept well after it." Besides, she had something to talk about to the other genteel pauper old ladies; and the Hon. Mrs. Mull began to get invitations to tea parties.

This photograph of *Mrs. Mull* may be compared with the washed out water-color sketch of *Mrs. Gowan* which Dickens has inflicted on us in *Little Dorrit*, and by the comparison the reader will be enabled to estimate the great ability of Mr. Whitty. *Mrs. Mull* is life-like, you see about the Court, and you never forget her; you never saw *Mrs. Gowan*, and you never saw *Little Dorrit*, nor the Sea Serpent, nor *Old*

Dorrit, nor *The Wandering Jew*, nor *John Chivery*, nor a Yahoo.

Next we have,

THE ROMAN AND THE BRITON.

"These English are a great people! What a people they would be if they understood the art of government!"

"Why, they are great colonisers."

"Yes: that they understand to be the destiny of the Anglo-Saxon race—to increase and multiply. Destiny of rabbits: mission of cats! They cover the earth, and that is all. Compare them to the Romans. The English have been in India one hundred years, and, if they disappeared to-morrow, they would leave few traces of themselves. The Roman was not a man who could write perhaps—who never thought of establishing schools to teach writing; but see how he has left his mark on the earth! You can track him over the world by his roads, his aqueducts, his forums, his baths, his amphitheatres. When I was in the Ionian Islands the people were beseeching Ward to build them a lighthouse! In India, the British government extracts taxes, and imports Manchester—nothing more: they rule, they do not govern—they occupy, they do not conquer! Here at home, what a sullen people; hideously overtaxed, unamused, irreligious, without individual or national high aspiration! In Ireland—there behold the sign of English genius for government! It was the English invented slavery of the blacks—what a blunder! It was the English then invented emancipation of the blacks—what a blunder!"

"But the English constitution."

"They are a great nation in spite of it, not because of it. What institutions! The Church has no hold. The Court of Chancery is a curse. The Sovereign a domestic model. The Peers a sham. The House of Commons a club. Pauperism an institution!"

Next we have,

AMBITION—WITH THE CHILL ON.

Mrs Tiffin had her servant, the Hibernian OE, as he was called (being O'Hea), lodged in a cottage not far off, provided with a sensible steed, and kept constantly going between the convent and the not very distant city of Turin, bringing to the disconsolate widow, French, German, and English novels, as well as old standard literature of all sorts; for she had acquired a taste for reading, as the only taste she could gratify under the self-enforced circumstances. Besides the *Romans*, and the plays, and the classics of all kinds—all of which were carefully concealed, in going and coming, from the fiercely innocent ignorant abbess—there came bijoux, bonbons, dresses, laces, and the necessities of the superfluous toilette: and what with these dissipation, earnest prayers, excellent meals, and penance, birds and the beads, a flower-garden and fasts, the piano and expiation, altogether—with the society of some charming nuns, who were always eager to be told the stories of the *Romans* and of the married life of the story-teller—the three years of retreat passed with greater rapidity than those of Diocletian, Charles the Fifth, Prince Menschikoff, and other famous Potentates looked after by Dr. Doran.

Before Thackeray had become a showman, wanting only a piano to excel Henry Russell in dodges, and before he had taken to deifying Louis Napoleon and raking up the dead slanders of our great, great grandfathers to cast dirt on the memory of the Four Georges, he had many passages in his fictions worthy our most complete admiration, however much we might dissent from their tone or spirit. But brilliant and telling as these passages were, he has nothing superior to the following which we call,

WOMAN SEEN THROUGH BOHEMIAN GLASS.

There is an endless mystery between the sexes. They have, in their most educated state at least, very little notion of one another. A woman brings forth a man-child, and to her dying day never understands the man. The man who has most knowledge of men has least knowledge of women: to understand a woman needs a refined, delicate, inquisitive turn, that masculinity is seldom equal to. What ludicrous women the poets create: take Milton's Eve, for instance! What absurd men have been sketched on paper by mind-adorning women—take Mrs. Gore's for instance. Let philosophical people mention the reason: let others be content with the fact.

Men believe in the patience of women. Compliment the animal on any thing else, but not on that—it is a donkey's quality: were it her quality we should not dote on her. Her failings are those of the higher-bred animal. It is her want of patience, which is her charm and curse. Did you ever notice a woman driving a pair of ponies? It is very pretty, but very peculiar. She puts the teased things to their topmost speed. She is always whipping their dodging flanks. She is always clutching the galvanised reins. She is always looking right and left, twisting and tossing her fantastically-covered head two ways at once. She sees the mighty 'buses, and avoids them hundreds of yards before they come up. She goes ten feet too much on one side in clearing the rushing cab or whirling chariot. Again, did you ever see a woman crossing a road? What patience—that is to say, what fright! what dashing forward and diving back; and when, at a crisis, she scuds, how recklessly high does she disclose the excited hose! So in marriage. Doubtless, when well-harnessed, and the groaning char-au-banc, crunching over the mud, is full of children, she pulls steadily, the scorched collar withal. But how she skits, and scampers, and shies, and jumps at first!

There she had character, not thought: she did—she didn't think: and was miserable. Very likely, marriage is sometimes chains of flowers. But you pluck and pull at the garland nervously, and it's soon an affair of stalks; and stalks hurt if you kick against them. But the regular chains are worn by the adept convict with comfort. The disaster in marriage is, that the sweet delusions of the coming happiness, to be caught and fondled, maintains the unsyllogistic soul in an unphilosophical state. In the condemned cell, where affairs are realized, prisoners always sleep well. And yet there are some of our statesmen complacently chattering about a new law of divorce. Bah! It is the destiny of humanity to marry and regret it; and

the law should beware the casualties that occur to those who step between man and wife in the assuaging commotion that tempers domestic bliss.

Life is a desert. Profound thought! Marriage and mirage are the same thing, differently spelt. But does it do the caravan any harm to believe in water? When you are thirsty, the next best thing to having water, is to believe that you are going to have it. Live the mirage! Live Marriage!

But it is a washy subject. Next to Single Life, marriage is the most ludicrous and the most insipid of all lives.

Once detained at a Rue de Rivoli hotel, in Paris—costly, comfortably-bedded Windsor—I was reduced to a daily analysis of the coffee-room.

There also breakfasted and dined there, with equal regularity, a young couple—newly married. They were Americans. He was of that young-planter-from-the-South complexion, which you see often at the Trafalgar, Greenwich, eating whitebait, and paying for it out of the product of black men; a low forehead, a classic nose, shining olive cheeks, cocoa-nut teeth, and round Greek chin. She was a tiny thing of flush fifteen, olive and ripe, with brown glistening ringlets on a delicious girly head. They fed there—the hungry, timid birds—because they dreaded, no doubt, the hum and stare of the cafés. This coffee-room was solitary of all but myself; and I hid myself behind one of those large yellow reprint novels that Paris appears to be principally engaged in manufacturing. Me they never thought of; they regarded the room as inhabited by themselves and the waiter. The waiter was a stern matter-of-fact man, rough with these tender, cooing Yankees, to whom he was incessantly pointing out *plats*, and from whom he was always taking incoherent orders favourable to the establishment; and, in deference to his middle-aged prejudices, they prattled low, whisperingly as the south wind, over the usual thing. How beaming they were; what dulcet endearing breath; what pretty caresses! How I used to envy that man! I hated him. He was so rich, had such youth, had such an appetite, and such a bride. Human felicity at last, I thought, to be noted down. I would rather see it daily, than in fact breakfast at the “Cardinal,” and dine at the “Trois Frères;” and I ate my bifstek, abominable, and drank my St. Julien, corked, in sympathetic peace for a fortnight in that coffee-room—a room, but for them, simply odorous of the plentiful and palpable British breakfasts of the morning. At last we bowed to one another; smiled; good-bayed. Finally, one evening at dinner she rose and left the room without him, after a prolonged and poetic repast. She curtsied prettily in a flouncing, fluttering brown dress, that seemed a continuation of the veil of ringlets, and departed like a vision. The youth, the Apollo, brave and bright, carried his chair over to me. He winked.

“Eaten too much to-day, she has,” said he; “and now I’d like to have a liquor and smoke with you, friend. I’d like darnedly to go and see an-out-and-out *Bal* in Paris. Shall us?”

On that day I resolved never to marry. We are too gross for

the institution. The marriages that are made in heaven are fulfilled there.

There is a good deal of unpleasant truth in the following about marriage, though it is,

MARRIAGE SEEN FROM A BOHEMIAN POINT OF VISION.

It is a very common thing, an unhappy marriage. Everybody knows that, and yet everybody marries: and of course everybody is right; for in life there is only a choice of unhappinesses,—to remain single, is to be certainly miserable, as we are gregarious animals; to live in scandalous union, is to fight with the respectabilities; to take to marriage, is to try a chance of bliss—is to get certain bliss for a month or two; which, short as the period is, you are not certain of out of marriage: so everybody marries, and the experience of mankind approves of marriage, from the common-sense point of view. If ladies and gentlemen marry in a passion, insisting that they were born for one another, and do not calculate that, in a year or so, they will find it a dull business, requiring to be looked at from the common-sense point of view, is the institution responsible for their being idiotic?

Mr. and Mrs. Rector tasted perfect happiness in the first three months—it was in the Long Vacation that they were united—of their married life. They felt so good, so pure, so honest then, that they deserved that perfect happiness. It is a singularly complete answer to sentimentalists, who are ashamed of the animal part of our nature, that love is the most subtly refined, most grand, least selfish, when it is love in marriage; and that married lovers are generally in their most noble and most intellectual existence, precisely in the period when they rather rejoice at not being “all soul.” Jean Paul has remarked the error of those who mistake the love of one for the love of mankind; but, still, it is certain that our best moments of philanthropy are when we are most intensely in love with ourselves—our own second selves, *pro tem*. For the three months in which the Rectors wandered hand-in-hand through Europe, and at the end of which, opening their Bower of Bliss in a highly-respectable street, they offered their friendship to society,—were so joyous, so beautifully happy, that they were worth any amount of subsequent disasters. And the reaction was rather severe. In six months, Mrs. Rector agreed with her husband that it would be madness to neglect work: in nine months, she had ascertained that she must expect very little of his society: and in eighteen months, she was glad that his avocations at chambers left her perfectly free to occupy and amuse herself as she pleased, from breakfast-time to midnight.

Mr. Rector, on the other hand, though he did not regret his marriage, was kind to his wife; was pleased with the comfort and solidity of a home; had found out that he preferred the interest and excitement of his profession to dinner parties, or evening parties, or *fêtes* of any sort; that his wife had only to talk to him of what did not greatly charm him into attention, and, generally, he was glad that her sisters and her old friends were so near her, to enable her to pass

her time pleasantly. They never had one quarrel about any slight matter: such quarrels as married people who determine to be affectionately always together so constantly have; and in their easy existence, of his prosperity, her satisfaction with that prosperity, their calm complete household, and their prevailing separation, great matters for altercation did not occur. Neither tried to rule or influence the other: they talked independently, and lived very independently; and though she sometimes sighed in envy of greater ladies, higher born and glittering in a sublimer sphere, and he, now and then, was vexed and brooded when he had to dine alone, and to have his tea brought to his little library by a servant; on the whole, neither regretted the matrimony in which they were implicated. What, then, if they were disillusioned? It was a comfortable match; and for this reason—both had become indifferent. When there is unhappiness—not merely negative, but positive and unfortunate unhappiness—it is when the one continues to love, and the other has become disgusted. Greatest unhappiness of all, it is when the indifference has become contemptuous indifference: the right sort of sensation for married life—as so few can sustain ardent, fresh, genuine love—is indifference accompanied with respect. Thus, a clever woman is often seen content with a husband who is a fool, but whose moral character is high; and of course, on the other hand, clever men cultivate idiotic wives—there is so much guarantee of goodness in a downright brainless angel.

The worst of such arrangements as those of the Rectons is, that if the wife is pretty, has been flirty before her marriage, and continues, after her marriage, in the old set, she runs great risks of damaging her moral character, and of having, in the last resort, to sacrifice her virtue to save her reputation. People never saw Mr. Recton—began to forget that there was a Mr. Recton; and though Mrs. Recton was a very good girl, so far as she knew, is it wonderful that she was sometimes tempted to forget that there was a Mr. Recton? She committed indiscretions; and she found that people saw them, and that, for the matter of their opinion, she might just as well have committed faults. A poor woman, neglected by a husband, pestered by her lover, gets into a false position, gets compromised, and the lover manages the rest, despite of her.

Mrs. Recton was a person without sufficient character to like sin as sin, or virtue as virtue: she was influenced by her education, her connections, her position, and was the victim of circumstances. She had no fault to find with her husband, except for that which, from the man's point of view, was to his and his father's honor—that his father had a somewhat ignoble trade in Northwath; and, had her husband taken the trouble to study her and to manage her, she would have lived or died worthily enough. But she couldn't stay at home: she liked the motion, the glare, and the excitement of society. She had married sisters; and when married sisters get together they sometimes become cynical and unromantic, and talk of the abstract other sex much as men talk of women—never considering how their philosophy applies to their own womankind of wives and sisters. Mrs. Recton had not brain or heart enough to render her safe in her

freedom. Her old lovers, ineligible as husbands, clustered round her, and there was so much talk of love that she began to believe she had done a deadly wrong in marrying Recton.

Here for the present we leave the *Friends of Bohemia*, but we would Mr. Whitty had set up his tent for a time amongst the Irish Bohemians. What a world of observation the Bar and the Four Courts would open up. The seniors plotting and settling in corners who is likely to go up to heaven, and who likely thereupon to go up to that other heaven, the Bench. The juniors just wigged, who are in training, and going in, for the Chancellorship, and who cultivate the Castle society by driving in batches of four, in a single-covered car and hired court suits, to the levee; the stuff gownsmen of ten years standing toadying attorneys until they almost touch their wigs and say, "want a barrister, sir; do it cheap, only shop for law, sir;" the ignoring all merit save that of one man, the speaker's self. And then the judges, some, whose learning made them what they are, side by side with those who in old days were hoisted to the judgment seat, when the ermine was a disgrace, the shroud of ignorance, or the livery of bigotry. And the levee, with its mob of gentry, broken gentlemen, trading politicians, panting place men, aspiring attorneys, and the raff of the squares. And then the drawing-rooms; Mrs. Finnigan, the attorney's wife looking down on Flanagan the doctor's; and the young swells cursing the Lord Lieutenant because he stopped the champagne; and the sweet young things, talking of Kingstown, and the bands, and the free sights generally; and the clergymen toadying the bishops, and the seedy, parturient parsons' wives, full of converting the Papists by means of soup and stirabout; and then the young gentlemen who have been detailing to each other how cheaply they hired the resplendent vest and stained smalls in which they figure, just as the other sex have been telling those from whom they cannot conceal it, how well Packer of Leinster-street, or Morrissie of South Frederick-street, cleans lace and feathers; and then the bustle of going home; Lord Pouldoody's carriage called, and Mrs. M'Sweeny Mulligan's covered car stopping the way; and then the servants with frowzy coats made to fit all sized men, and colored neck-ties, and baggy trousers, and uncut hair, and all with cockades in their four and ninepenny hats; and then the *Freeman* and *Saunders* in the morning, describing the dresses, whilst the milliner's man is in the hall waiting for the amount of the account; and papa is going off to pledge the

family diamonds, with the convenient relative, to raise money to meet a bill given for the outfit; and whilst the daughter is thinking of the compliments paid to her dress and figure by Snobbins, the Aid-de-Camp, Snobbins is taking a contemplative pipe, and thinking what a fool she must be not to wear a stays when she *will* dance the polka. And then the charming summer Receptions in the Lodge Gardens; the Lord Lieutenant vandyking about amongst the Wateauish groups who are making poses-plastiques of themselves. The brilliant young gentlemen in "all rounders," and the pretty young ladies in crinoline, those cruel sous-jupes bouffantes, which are weapons in their tenseness, and make your shins black and blue with a whisk from the tail. We know nothing, for Whitty's book, like a Summer Reception;—a smiling Vice Roy, deputy of a deputy; bored aids; sweltering matrons; panting maidens, smothered in muslin and choaked with dust; pompous papas, hot from the courts or hospitals and waiting for a word from His Excellency; sons, all collars and cuffs and whiskers, and every body cruising for the refrigerated coffee, or gasping for, as Muldoon of the Sallynoggin Artillery calls it to Cleary of the Mullinahone Fencibles, the ice "with the dead could out of it."

Here would be a field for Mr. Whitty, a field totally unworked save by Lever, who is only capable of opening the surface unless he steals from somebody else; let us hope that Mr. Whitty will not neglect the opportunity. We meant to have kept the "diggin" for ourselves, but we are his friend, and he shall have it for his own pick-axe—"Gli amici legono la borsa con un filo di ragnatelo."

Turning now from the reality of Mr. Whitty to the romance of Mrs. Hemphill, we feel as if we had sprung from the highest summit of Magillicuddy's Reeks, with their stony facts, to float on the deep still bosom of the lake, where fancied chiefs of long ago lie sleeping.

It is refreshing to turn thus, away from the cares and turmoil of a busy world, and dwell, for even a short period, in the Eden of a romance; such is the tone and tenor of *Freida, the Jongleur*, and in this guise we mean to treat it. The scene opens towards the conclusion of the thirteenth century, when *Philip le Bel* though swaying the destinies of France, was still ruled by his brother, *Charles, Count de Valois*: both entertained a marked hostility to the Templars, in unison with many of the

crowned heads of Europe. This hostility was occasioned more by jealousy of the advancing power of the Templars, than by any feeling of morality regarding the shortcomings of the order, though unfortunately at a later period this served as a pretext for their total suppression. Our story, however, commences with a diplomatic journey of *Charles* to the *Duke of Bavaria*, where he meets and becomes enamoured of a beautiful girl, poor and dependent, though a near relative to the Duke. *Beatris Visconti* has but just returned from a convent, where she had been educated; and to a rare beauty of person, added the charms of a noble heart and highly cultivated mind; her reserve of manner suited admirably with her peculiar style of beauty, her lofty stature and Juno-like bearing being in strict keeping with the dignity of her deportment. Such a combination of attractions acted as an incentive to *De Valois'* passion, and the Duke looked on this triumph of his ambition with an anxious eye. Nor was *Beatris* herself unconscious of the proud man's regard, and aware of her inability to return it, used every effort of her gentle nature to repress his admiration. *Charles*, however, unaccustomed to refusal, and aware that both his military prowess and personal beauty, rendered him a meet companion for the first and fairest in the land, dreams not of repulse; and without even consulting *Beatris*, having obtained the consent of his brother through the intervention of a young priest, named *Francesco d'Esculo*, esteemed for superior talents, extensive learning, and unaffected piety; he employs this *Esculo* to bear the glad tidings to *Beatris*, never doubting her joyful consent. Judge then of this proud man's dismay, when informed that the lady rejects his suit, she having acknowledged in confidence, to the priest, her love for a young Templar, *Guy d'Auvergne*. The Duke's exasperation almost exceeds that of *De Valois*, though both are ignorant that an earthly rival occasions this sad rejection, for sad it proved, in the total subversion of every good quality in the mind of *Charles*, whose nature thenceforward became bold and bad. *Beatris*, by her own desire, returns to a conventual life, for which they conceive she has a special inclination. It was during her sojourn at the convent that she met and loved *Guy d'Auvergne*: the *Prince of Dauphiny's* residence being near she spent her vacations with the daughter of that noble house, who was also a boarder in the convent. The Templar was a frequent inmate, and considered the best lance of his order, and next in power and in-

fluence to the grand master, *Peter de Beaujeau*. Though not as handsome as Charles, he still gained the entire heart of *Beatrix*: *De Valois* anxious to know all of *Beatrix's* life in the convent, employs his squire, *Gaultier*, to act as spy and informer; well fitted by nature for this purpose he soon discovers her love for a Templar, and informs his master. *Gaultier* was intended for the Church, but having no vocation, on his sister marrying into the noble house of *Evreux*, he left the Church and became squire to *De Valois*. *Guy d'Auvergne* had an interview with *Beatrix*, and discovering the danger she had been in of been lost to him, got himself absolved from his vows and was married. On *Charles* being informed of the matter he immediately waited on *Philip* to enforce, on this plea, the suppression of the Templars.

Thirteen months have now elapsed, and the scene has changed to Palestine. *Peter Beaujeau* being ill, *Guy de Auvergne* succeeds as grand master, though a perfect contrast in manner to the pure and ascetic *Peter*. It was Christmas Eve, and some of the younger and wilder spirits of the Templars have prevailed on *D'Auvergne* to admit a party of *Jongleurs* for their recreation. Tradition imparted to this wild race an ancient and noble ancestry, tracing their origin to the time of Constantine, whose desire of uprooting paganism banished them as wanderers; they still, however, retained a species of freemasonry, by which they recognised and aided each other in the most remote regions. The party entered; amongst them was *Freida*, daughter to the head or chief, a woman of amazing height, and features well cut, bearing an expression at once austere and melancholy. *Freida*, who takes so prominent a position, merits a full description. Of surpassing loveliness,

She wore drawers of slight white Persian silk, of immense width, clasped round the delicate ankle by bands of elastic gold, studded with brilliants and emeralds of great price; over these was thrown a dress of Chios gauze, shading the bosom just swelling into womanhood. A robe of azure Damascus silk was confined to the waist by a zone of gold sparkling with jewels; and *Freida* wore bracelets of the same. A circle of orient pearl in the form of a diadem ornamented the head; from which flowed, nearly to the feet, a profusion of fair waving hair, unconfined by braiding or ornament. This fantastic and splendid dress in some degree resembled that at the period worn by the Almags of Egypt, only that of the latter too fully displayed the charms of the wearer; whereas *Freida's* was so arranged, that *Beatrix*, the Christian maid, need not have blushed

to have worn it before the stern Brothers of St. Bruno, who might have condemned its vanity and extravagance, but not its want of virgin delicacy.

We are, however, ashamed to admit that *D'Auvergne*, forgetful of his vows to *Beatrice* as he had been heretofore of his vows to his Order, falls desperately in love with *Frieda*, and she returns his passion with all the ardor of her wild and heroic nature, but spurns his love unless he consents to make her his wife; and *Guy*, aware that his former marriage rendered any such contract a nullity, consents to the pagan rite. But the day of Acre is approaching, and the punishment of the Templars at hand. *Gauttier, De Valois'* spy and squire, has come to Palestine, his maternal uncle being elected legate, he accompanies him, and distinguished himself amongst the Italian troops, who, being defeated, he joins the Templars, and having gallantly defended the grand master, he receives several spear wounds, and falls over the dead body of *Peter de Beaujean*. A few unhappy Christians fled in despair, whilst the flames from some burning fortresses cast a lurid glare, throwing the forms of the dead and dying into ghastly relief.

And now, amidst the partial darkness, a long train of nuns is seen; they come, like ministering spirits, to sooth the afflicted; and, as they raise their rich, clear, melodious voices, to chant forth the hymn,—

“Jesus, Lord, repair our losse,
Restore to us the holy Crosse,”

they seemed, to the wounded, a choir of angels; and hopes, blessed hopes of eternity, were awakened in hearts which, it may be, previously dared to murmur at the decrees of Providence. Oh! it was joy, rapture in the awful hour of death!—death in the cold, cheerless, bloody field of battle, of murder, and of strife, to hear the voice of prayer, to feel woman's soft hands dress their wounds, to recline on her bosom as she moistens the parched lips which before had frantically groaned for one drop to check the quenching thirst; for these blessed women had scattered themselves through the place assisting and comforting the victims of unsanctified ambition or of mistaken zeal!

We left *Gauttier* prostrate over the dead body of the master, when a strange phantom appears before him, and *Frieda* rescues him, and placing him on her palfrey, *Zineb*, supports him with her arms, but just as they are about to pass the Hospital of the *Knights of St John*, some of the Knights rushed forth and sinking on their knees, uplifted their swords and chanted forth the *Ora pro Nobis*.

The appearance which thus affected the Knights of St. John, though simple in description, in effect undoubtedly seemed strange and mysterious.

Amidst the reigning horrors Freida had ridden forth in a dancing costume,—the most superb in her possession,—merely casting over it a dark mantle, studded with a crescent and stars, to be worn on dramatic occasions when she personated Night. The breeze had spread the robe to its full extent; while the steed was shaded behind a heap of ruins, and to gain a bird's-eye view of the field, so as to guide her way, Freida (a perfect equestrian) stood on the palfrey, her beauty gleaming forth in renewed lustre, from the flush of excitement and anxiety. Against her was just distinguishable the ghastly face of the Legate's nephew, well known in Acre, and who had been seen by hundreds to fall dead (so it was believed), as he boldly shielded the remains of the Grand Master of the Templars from the infidel Saracens.

"Holy Saints, assail our suffering souls!" shouted the knights. "What is this we behold?—yes, it is Gaultier, the Legate's nephew;—there is no mistaking. God have mercy!—Poly Virgin, in pity inspire us with the knowledge whether it be a spirit of light or of evil which now wafts him to the final goal of the blessed or accursed?" They shuddered, elevated still higher the cross-handled weapons, and louder sang out the *Ora pro nobis*.

A period of twenty years has now passed over; *Freida* and her son have been forsaken by the Templar, who is now residing at Athens with *Beatriz*, and his son *Rodolphe*, a fine youth, to whose heels the Emperor of Germany had himself affixed the spurs of knighthood. *Gaultier* having received a deaconry at Natolia, had lived there up to the present period, but his brother-in-law, *Count Nicon*, dying, and leaving him guardian to his nephew *Foulque*, he was summoned to Paris on business, where no sooner arrived, than he was discovered by the Knights of St. John. They summoned him to appear before the States General, to answer the charge of having been seen in the strange position we have before alluded to; three of the Knights who had escaped bore testimony to his having been recalled to life through the influence of witchcraft, and that he had sold his immortal soul, in order that his body might be resuscitated. In this dilemma *Gaultier* goes to *De Valois*, who, delighted with the opportunity of crushing the Templars, as soon as he had heard *Gaultier's* story, tells him that he must accuse the chief Templars, and arraign the Grand Master, *James De Molai*, and *Guy D'Auvergne*, of necromancy, and collusion with the infidels, and thus prostrate the Templars whom he hated. *Gaultier* at first refuses to tell aught but the truth, but between bribes of future favor, and menaces of death, he

consents, and having brought him before the *Procureur*, better known by the sobriquet of *Chef des Rats*, he obtains an order for the appearance of the two Templars, and after a mock trial they were cruelly sentenced to the stake. Sad and bitter was the retribution endured by that same house of Valois.

But as one crime generally leads to another, *Gaultier* had no sooner consented to the destruction of the Templars, than he was called on by the same bold bad man, to hand him over seventy thousand florins of the money he held in trust as his nephew's guardian; the reason for this requirement was, he had squandered the public monies, of which the King was ignorant, and being taunted publicly with the crime, by *Enguerand Marigni* he had given him the lie; when the proud Norman in his rage struck him, and refused meeting him in combat, on the plea, that by his embezzlement of the public monies, he had proved himself a recreant Knight. On the tenth, it was then the fourth of the month, the prelates and peers of France were to meet, to enquire into those grave charges, and the only way he could refute them was by handing in the money, and then woe to the house of *Marigni*; the hatred of a Valois must only end with the destruction of a foe.

Gaultier yielded to his menaces on one hand, and his promises of a Cardinal's hat on the other, and thus effected a compromise with his conscience. Three more years have passed away, and with them the *Prince* and the *Pontiff*. *Louis Hutin* had also succeeded and died away, and the throne was now filled by *Philip V.* who had in his boyhood so warmly espoused the Templars cause as to challenge his uncle Charles in fair fight to decide the Templars' guilt or innocence. Another year has elapsed, and *Gaultier* is appointed to the see of *Langus*, and his first care on arriving at Paris is to seek out *De Valois* and demand the sums of money lent, now that the guardianship was at an end. He hired a magnificent hotel on the banks of the Seine, and went with much pomp to attend a reception of the King, but the young monarch's address to the newly elected Bishop was haughty and discourteous, unlike his usual bland politeness, for independent of the Templars he was irritated that his Queen, *Jane D'Artois*, should have selected him for her confessor. Retiring early *Gaultier* rode off at a brisk pace for the hotel *De Valois*, and was surprised to behold all desolate; on inquiring, he discovered that during

the reign of *Louis Hutin*, *Charles* had ruled France, and wreaked his revenge on *Duguerand Marigni*; and it was considered that in so doing, he had recourse to magic, and was assisted in his designs by a pagan sorceress who was afterwards burned, but on the death of *Louis*, the Count vanished, some said to the Holy Land, but the general belief was, he was spirited away by the Saxon Jongleur. With this disjointed information, *Gaultier* departed to brood over his shattered hopes.

A woman in widowed garb seemed to be watching for him, and whilst some noisy disputants were wrangling, slipped a fold of vellum into his hands, and disappeared. On gaining his hotel, his first care was to examine the scroll he had so mysteriously received, he then hastened to greet his nephew *Fouquet*, who had been awaiting his return. It is necessary, in order to elucidate our narrative, to enter into particulars relative to this young man and his claims. We have before related, that *Gaultier's* sister had been married to *Count Nicol* only brother to the *Baron D'Eoreux*, who on inheriting his estates, found them encumbered to their full value. He married the beautiful heiress of the *Lord D'Anville*, and being romantically in love, permitted her father to dispose of her property at pleasure; it so happened, that in consequence of a large sum advanced to *Saint Louis* towards carrying on the Crusade, the *Lord D'Anville* and his heirs possessed the power of willing their property, though that power was at variance with the feudal law; proud of his daughter's connection with the royal house of France, to preserve that connection he had the entire property so settled, that in case of failure of male issue, the daughter would inherit. Ere fifteen months had elapsed, the lovely Baroness was laid in the grave, having first given birth to a daughter. As rumours were rife of the Baron's fierce temper having partially caused his bride's death, a hostile feeling grew up between him and the *Lord D'Anville*, which it was the policy of both parties to conceal, the Baron receiving large sums of money from his father-in-law to permit his guardianship of the infant *Louise*. She had scarcely attained her sixteenth year when *Lord D'Anville* died, leaving her in care of a young man, *Francesco D'Escula*, a near kinsman; *D'Eoreux* seemed unmindful of the weakness he had betrayed in permitting all his property to be thus sequestered, but on his father-in-law's death discovered that he, through hatred, had settled every reed on *Louise*. Having

never loved his child, he now detested her, and she remained two years longer under *Esculo's* care. Being of a delicate constitution and weak in mind, she trembled at her father's name, who at this period sent a stern mandate, informing her of his approaching nuptials with a lady of rank, and commanding her to prepare for the Convent of Laval. *Esculo*, aware of his fixity of purpose, as the only means of contraverting that cruelty, set out for Rome, to obtain the protection of *Pope Boniface* for *Louise*. During his absence, the castle was crowded with artisans, preparatory to the wedding. Amongst them was a jeweller named *Hubert Clisson*, who whilst polishing up the shields and corslets, enchanted *Louise* with his descriptions of them. An elopement took place, the Baron's marriage was broken off, and before six years *D'Evreux* adopted *Foulque* as his heir. It had been reported, that in a fit of rage the Barton had wiped out the stain of a disgraceful marriage in his daughter's blood; that he done so, was true, but she before dying had given birth to a daughter, who was named *Bona*, the *Pope* having been her sponsor, granted her all the claims of heirship.

We now return to *Foulque's* interview with his worthy uncle. "I say, Bishop, you are welcome back to France," was the first salutation of this rude man, "that is, if you confirm the report of old *Baron D'Evreux's* death; how died the old penitent? I mean to make good use of the large sums deposited in your hands, so, come at once to the reckoning; no lack of payment I hope." *Gaultier* replied, that when assured of his right of inheritance he would resign his trust; he then explained how matters were, the existence of the girl, and her claims ratified by *Pope Boniface*, and advised his nephew to seek her hand. He, however, informs him, that he is in love with *Agatha D'Abeis*, who was at Court, under the protection of the Queen; she was, however, thought to be under a cloud, from having been considered in communication with *Freida the Jongleur*. Her uncle when dying, made a testament, by which *Lord Rodolphe Visconti*, son of the Templar *Guy D'Auvergne*, was to enter the lists with *Foulque* for the maiden's hand; stranger still, should *Rodolphe* decline the proffered honor, one-half her property was to go to him, and the remaining portion at her death to the Convent of Laval, and the Benedictine brothers of Mayenne. He moreover informs him, that under any circumstances, *Agatha* shall be his bride, that he is the head

of the malcontents, and that Paris, nay, even France, should be deluged in blood sooner than he should yield his claim. Philip, not being in good odor, in consequence of his patronage of the Jews, whom the Barons were anxious to destroy, thinking to liquidate by that means the large sums they owed to the Israelites; biassed by those feelings, they instigated the Parisians to demand from Philip the total destruction of the Jews by an *Auto-da-fe*. The King, however, sooner than consent to such an act of cruelty, appealed to the reason and good feeling of the people. The interests of the Barons, and the excited passions of the populace, rendered this mild appeal fruitless, and it was through the intervention of *Francesco D'Esculo*, the Cordelier brother, that a compromise was effected, on condition of the Jews evacuating Paris in three weeks.

Rodolphe Visconti having requested permission to hunt the wolves in the precincts of the Castle d'Abeis, the barons, incensed that a stranger should bear away the palm of victory, pledge themselves to unite in the dangerous encounter. *Gaulthier*, however, is determined, should *Rodolphe* succeed, to accuse him of accomplishing this noble feat by the aid of magic, inherited from his father. He again encounters the woman from whom he had received the mysterious note, who, as may be foreseen, was no other than *Freida*. She relates to him a long and painful history of the past; how, after the desertion of *Guy d'Auvergne*, she resided for some years in Jaffa with her boy *Edrid*, who at fifteen becoming delicate, was ordered to a European climate; she then, after escaping shipwreck, by which all her means were consigned to the deep, arrived at Paris with her son, at a time when the *Jongleurs* were banished by *Louis Hutin*, not alone from Paris but from all France. Destitute of all means of support, they lived in wretched chambers near Montfaucon, their only mode of subsistence being obtained by *Edrid's* singing Oriental ballads. Though perfectly untaught, this boy had a natural taste for music and the culture of flowers, and his only perception of right and wrong was an inherent love of truth which instinctively guided him. He passionately loved his mother, whose privations were to him a source of deep pain. Having lost his voice through hoarseness, he rushes out one evening in despair, not knowing how to procure even a cooling drink for his mother, who is in a fever. It was the feast of Corpus

Christi, and seeing crowds enter the church, he instinctively followed; the solemnity of the devotion he there witnessed impressed him with a strange feeling of awe, whilst the discourse of the saintly prelate, preaching the, to him unknown, doctrine of Christianity, shed a balm over his hitherto benighted soul, and he cast himself at the foot of the altar, impressed with the idea that he had at length found a source of happiness to which he had been hitherto a stranger. A strange feeling of unconsciousness overpowered him, and when he awoke he found the church almost empty; in traversing its sacred aisles he observes an altar on which was a gorgeous vase of oriental shape, imbedded with gems; he stops to admire it, and then, recollecting the state of his sick parent, and knowing that a Jew, from whom he had before obtained money for some of his mother's trinkets, would give him a large sum for this valuable prize, he, unconscious of the crime he was committing, bears it off to *Ozias the Jew*, and obtains sufficient for his present wants and a cithern of much value—this was an instrument on which he played to perfection. It unfortunately happened that this vase was one of the most valued gems in the whole kingdom; there was even a legend attached to it, which rendered it priceless; this was, that if the Jews could gain the possession of it for nine years, in three times nine they would be once more re-united, and in possession of their own Jerusalem. The vase having been discovered in a state of decay from neglect, by *De Valois*, who was a great admirer of the fine arts, he had given it to *Hubert Clisson* the jeweller, to restore it; the King himself kept the key of the casket to which it was consigned; *Clisson* had brought it home that evening, and left it on the altar by desire of the *Bishop of Beauvais*, till he had returned from the Louvre with the key; unhappily *Edrid* in his absence purloined the vase which led to most unfortunate conclusions. *De Valois*, in his hatred to *Enguerand Marigni*, thought this a good opportunity of accomplishing his vengeance and had the temerity to accuse the bishop, who was his brother, of the theft, and *Hubert Clisson* as an accomplice. The good prelate did not take the trouble of refuting this base charge, though it created a strange feeling throughout Paris. *Freida* was unconscious of the whole matter, till one evening she was admiring the cithern, and having asked *Edrid* where he got it, was informed of the circumstance; she, terrified at the act, well aware that the Christians considered sacrilege as a crime

worthy of death, determined on flight next day; but ere dawn they were aroused by an unusual knocking, and on the door being opened *Hubert Clisson* entered, accompanied by a priest; *Freida* shrieked, well knowing their doom was sealed. Such was the fact, as on *Edrid* being questioned, he, despite his mother's screams and threats, told the whole truth. It appeared that the priest, *Père Langravare*, having met a woman in the street, running wildly, discovered that she was in search of a physician for a Jew, who was on the point of death; the *Père* being a physician also, went to see the Jew, to render him assistance, and, on arriving at his house, found him at the point of death, and pressing his hand against his breast, thought there lay the pain, opened his vest and discovered the vase. His joy was unbounded, he questioned him as to how he had obtained it, and the only information he could acquire was that a fair youth with a melodious voice, and who said he had a sick parent, had sold it to him. *Langravare* carried it at once to the good bishop, who told him he thought he had a clue to the perpetrator of the sacrilege, having heard the most divine music issuing from the neighbourhood of Montfaucon. Thus the discovery was effected. *Edrid's* manner won on the *Père*, there was such a holiness in his simplicity; however, nothing could be done, and *Hubert* was left to guard them whilst *Langravare* went for the *Provost*, who soon returned with guards to convey them to his own house. *Freida* has a return of fever, and on recovering thinks *Edrid* has been executed; however she is soon happily undeceived, as she hears him chaunting a hymn to the holy Virgin.

Within the arch, dressed in the graceful white robes of a novice, confined round the waist by a girdle, to which were suspended a rosary and crucifix, knelt opposite to an altar adorned with the symbols of Christianity, my son,—his head thrown back, his eyes cast upwards, his hands clasped, and his voice rising in prayer to the Christ; and I heard my name pronounced. My first sentiment was rapture, the next horror. My imagination, ever too vivid, worked another horrible fancy. I felt as if I was a serpent—the serpent *Sin*—crawling on the earth to check an angel's flight to heaven.

Edrid has become a Christian. The *Père* had introduced him to the holy *Bishop of Beauvais*, whose simple eloquence had won his heart on that fatal evening in the church; and so ardent had become his devotion, that now, life or death were equal, so that he walked in the footsteps of his Divine Master. Their trial was protracted, as *De Valois* knew, if

convicted, his vengeance was at an end. He sought an interview with *Freida*, and after admitting his hatred to the *Marigni*, worked on her maternal feelings by promises of her son's pardon, to accuse the bishop of having bribed them to admit their guilt of having abstracted the vase, and thus implicate the bishop himself in the theft. *Freida* promised all he required, so ardent was her desire to save *Edrid* whose Christian feeling and truthfulness would, she feared, mar her intentions. Her brother *Jacques de Lor*, was he informed her, secretary to *Enguerand de Marigni*, and through the occult sciences, of which *Jacques* was an adept, they were enabled to form figures so life-like as to require merely animation to make them as real as the persons they represented; this he had discovered but was not aware where they kept those figures, and persuaded *Freida* to write to her brother, who she was, till then, ignorant of being in Paris, and ask an interview, in which she was to obtain for him information of all matters connected with *Marigni*, especially where the images were kept, *Edrid's* life being still the guerdon offered. She unhappily yields, and gains for him the information required. *De Lor*, who loves his master dearly, warns her of the *Valois*, and hints to her of the interest taken in *Edrid*, both by *Enguerand de Marigni* and his brother, though he was not empowered to say more, he bade her take comfort, and they parted. *Freida* imparted to *De Valois* all she had acquired from her brother, relative to the images; information which afterwards proved fatal to the *Marigni*. Such was the superstition of the period that a natural taste for the noble art of sculpture was deemed an act of sorcery, and the supposition was, that if you desired the death of any one, by modelling one of those images, you could, by aid of magic, transfuse the vital power from the person whose death you desired to the inanimate figure. *Enguerand*, too enlightened to be a dupe to such folly, pursued this art for his pleasure, and presented to the *Queen, Mother of Philip le Bel*, a representation of him as a birth-day gift. Shortly after, *Philip* was killed by a fall from his house, and *De Valois*, his enemy, spread abroad strange and malicious rumours relative to this, which induced *Marigni*, sooner than resign his loved pursuit, to have his images conveyed to a private cabinet, where he and *De Lor* worked at them secretly. Thus, *De Valois*, if thwarted in his scheme regarding the bishop, was determined to accuse *Enguerand* of sorcery, and *Freida* sadly afforded him

an opportunity. *Edrid's* trial came on, and whilst *Freida* wickedly accused the Bishop of what she knew he was innocent, *Edrid*, true to that Holy Faith he had so lately adopted, simply narrated the whole occurrence, and disdained the gift of life as the price of dishonour. His condemnation was pronounced, and he was hurried to Montfaucon for execution. *Freida*, who was borne insensible to her chamber, on recovery beholds her beloved son dragged up to Montfaucon by *Clisson* and the *Père*, whilst the Bishop stood a pleased spectator, and there even before the arrival of the executioner, hurried him from the scaffold to the pyre, whilst *De Valois* was rushing to his rescue. *Freida* did not recover for some days, and then found herself cared by *De Valois*. One evening her brother entered, and told her mildly that she had by her communications to *Valois* brought ruin both on him and his beloved patron: that that Prince of evil had even seized his beloved wife *Shadi*, the charming Hindoo, and had offered large rewards for his apprehension. *Freida* besought him to fly lest *Valois* should arrive; he was about to do so, and was just mentioning that their mother was in Paris, when *De Valois* entered, who at once called on the guards to seize him, telling him that if he refused (on the following Wednesday, that appointed for the trial of *Marigni*, to criminate his patron and accuse him of sorcery), he should be put to the torture. *Jacques* having nobly refused the bribe of even his *Shadi's* release, and promise of safe conduct to any part of the world with ample means, *Freida* was then informed that *De Lor* was foremost in dragging *Edrid* to the stake and hurrying his death; this he could not deny, but begged a few minutes private conversation to explain it, which *Freida* refused; he was then dragged away, and the *Jongleur* lived now for vengeance alone—on *Clisson* and *Langravaar* her hatred was concentrated.

Wednesday came, the day of trial to *Marigni*, *Freida* rushes out and is pursued by a mob from whom she takes refuge in Mountfaucon tower from the top of which she casts herself amidst the yells of the crowd, when we encounter her again she is on the banks of the Danube with her mother and their horde. Her mother having taken towards her a deeply rooted aversion tells her, that she intends to set out for Hindostan. She then informs her of all that had occurred from the time she met her bleeding at the foot of the tower. Of *Jacques'* death who killed himself on learning the fate of his patron *Enguerand de*

Marigni, whom *De Valois* hunted to the scaffold by false accusations, and he persuaded the king that the whole family were implicated and neither age nor sex was spared, the bishop alone escaping this general ruin. *Freida* having caused this woe, was hated by her mother, who after relating all, departed. *Freida* now determined to gratify a wish she had long entertained, and visit *Beatriz Visconti*, the Templar's wife, and see *Rhodolphe*, her *Edrid's* brother. She went disguised as a pilgrim, and was introduced to the chamber of the lady *Beatriz*, who on discovering who she was, received her with much kindness, and soothed by her gentle manner the bitter feelings of the *Jongleur*, on beholding the difference in their positions. *Beatriz*, the still beautiful woman possessing all that could make life happy, whilst she, the forlorn outcast a prey to every bad feeling, looked much older than her rival. The lady assured her that the Templar had bitterly repented the wrong he had done her and attributed his sad and ignominious death to a just retribution for his past misconduct ; that moreover, he had induced her, *Beatriz*, to promise to seek her and her boy out, and try by every means to win them to Christianity ; particularly to have his son baptized ; he had also left a large sum in her hands for them. *Freida* then informed her of *Edrid's* death, and of his having become a Christian. She stayed some days with *Beatriz* waiting the arrival of *Rhodolphe* whom she desired to see. One evening *Beatriz* informed her joyfully that she expected her son next day and with him the Archbishop of Rheims, who was no other than the good and holy bishop of Beauvais whom Philip V. had elevated to the Archbishopric of Rheims, and so great was her faith in his zeal and piety that she hoped he would be able to effect what she had failed in doing, namely, *Freida's* conversion. She told her further, that to him she was indebted for her happy state of mind ; he it was who had taught her in her hour of darkness and despair to turn her thoughts to Heaven, and bow down in humble submission to the will of Him who died for her on the cross, and like her Divine Master pray for her enemies. But anxious as *Freida* was to see *Rhodolphe* she could not be prevailed on to wait his arrival, accompanied as he was by the man whose brother she was instrumental in destroying, and having taken some of the money left in trust with *Beatriz*, determined on departing ere dawn. She now determined on seeking out *De Valois*, whom she discovered at the Convent of

St. Bruno in the Forest of Chartreuse, undergoing a severe and voluntary penance for his manifold crimes. He was attended by *Esculo*, and here it was that *Freida* found the parchment containing the certificate of *Bona Clisson's* birth and the will of *Count d'Evreux*, which had been dropt by *Francesco d'Esculo*, and picked up by her in mistake for her own scrip. This was the reward she held forth to *Gaultier*, for the furtherance of her revenge. He asked how he could benefit her in that way, she told him to introduce her to the *Queen* in the guise of a fortune teller, that she wanted speech with *Agatha d'Abeis*, and that circumstances should guide the rest.

We now return to *Rhodolphe* and his chivalrous attack of the wolves. It was in disobedience to his mother that he either accepted the inheritance of *d'Abeis*, or entered France.

On arriving at his castle he invited all the Nobles who had joined in the chase, and amongst them *Foulque*, though they were to break a lance for *Agatha*, and strange to say, *Rhodolphe* was under any circumstances determined not to seek the lady's hand. They had succeeded in an almost fabulous manner in extirpating the wolves. On the fourth morning, however, they were aroused by an account of an immense herd rushing forward, headed by a Demon Wolf, and committing fearful depredations; and so strange was the superstition of the age, that the wildest legends were recorded of it, and many would not venture to attack this demon. A young man rushed forward, demanding assistance for *Hubert Clisson* and his daughter, who were attacked. *Foulque* on hearing the name, was evil enough to rejoice at their danger, and would not go forward; but *Rhodolphe* hastened to their rescue, and was fortunate enough to release them, and succeeded in destroying the hideous monster. As they were all to adjourn to *Foulque's* castle that evening, he invited them there, but *Hubert* appeared terrified at the very name, and declined the proffered honor, requesting a safe guidance from the Knight, who seeing their anxiety, instantly accords it; mounting them on his noble steed, a gift as he informed them of *Louis of Bavaria*, told *Hubert* to care it for him till he reclaimed it, and after assuring himself by a glance that the lady was extremely lovely, though a jeweller's daughter, they went their way. On returning to secure the head of the wolf as a trophy of his victory, he found it gone, but seeing something sparkle, picked up part of a crucifix set with gems, which *Bona* had dropt. On arriving at

his castle, he found the *Archbishop of Rheims* awaiting him, who told him he wished to introduce him to a youth named *Chretien*, for whom he felt a deep interest.

The King feeling grateful to the young Bavarian for extirpating the wolves, was anxious to compliment him by a noble banquet, at which the lady *Agatha* was to preside. *Chretien* to whom we have just alluded, was known in Paris for more than a year as a pupil of *Père Lagravare*, and protegee of the *Bishop of Beauvais*; he was to enter his noviciate in a few months. *Philip* took an interest in him, thinking him to be a son of *Enguerand de Marigni*, and was anxious he should reside in the Louvre, but *Esculo* prudently advised him to permit the youth to follow his vocation. As he had a taste for flowers he was permitted to visit the palace once a week, to provide the Queen with the choicest. His nature was so enthusiastic that the good *Père* tried to calm down his fervor to a more solid and steady form. Unfortunately for this youth of ardent temperament, he encountered the lady *Agatha*, and the love hitherto bestowed on his Creator, was now divided with the creature. The struggle between feeling and duty was intense, and he wildly accused her of casting a spell over him, weaning him by her condescension from that Heaven for which had heretofore so ardently longed. She, though imbued with vanity, felt touched by the ardor and sincerity of the fair youth, and is determined to avoid his presence for the future, *Rhodolphe* possessing her entire affections. One evening as she is about paying a visit to *Père Lagravare*, she meets *Bona*, and discovering that she is the person of whom she has heard as *Esculo's* protegee, feels jealous lest such a beauty should be seen at Court and perhaps eclipse her in *Rhodolphe's* eyes. On reaching the *Père's* house she finds *Chretien* as enthusiastic in his love, as at their last interview, and to gratify his ardent desire to serve her, shews him a ring, telling him to deserve it, that whenever she required his services he would know by that ring, which she would despatch to him. He made a solemn vow that her slightest behest should be obeyed, were life itself to be sacrificed in her service; at that moment they heard retreating footsteps and separated.

Rhodolphe is received with regal honors by *Philip*, the gates of St. Denis are thrown open for his approach, and the *Oriflamme* brought forward, a compliment never before paid to a subject. He meets *Bona* at a religious ceremony in honor of the Holy Virgin which is being performed at Notre Dame.

They are mutually pleased at the interview, and he pays frequent visits to her home, resolved, for excuse to demand his steed should he encounter her father; they have had frequent interviews thus, though *Hubert* is determined she shall marry a young burgher whom she detests, and *Rhodolphe* though now prepared to sacrifice all class prejudice to his love, has not yet spoken, and does not purpose doing so till after the combat.

In the meantime he has an interview with *Freida*, who has also gained admittance to the Queen's apartments through *Gauttier*. *Rhodolphe*, desirous to avoid *Agatha*, devotes himself exclusively to the Queen, *Philip* at first pleased with this gallantry at last feels jealous. The day for the combat is approaching and *Rhodolphe* pays his visit to *Bona*, and meeting her father demands her in marriage. *Hubert*, who hates the nobles rejects his suit, telling him, she is engaged to an honest burgher. After *Rhodolphe's* departure, *Hubert* goes to *Bona*, and tells her to be prepared to marry *Paul Deschamp* in two days, she peremptorily refuses, and her father in a rage goes forth, telling her his mandate is imperative. *Bona* threw her mantle around her and almost ran to *Nôtre Dame*, as if there, certain of relief. She meets *Lagravare* to whom she relates her sorrows and he goes to apprise the King of the matter, leaving *Bona* at *Nôtre Dame*, he brings on his return a gown and cap of a student of the Sorbonne, and thus equipped brings her to the King's library. *Freida*, however, has seen her enter and goes at once to inform *Agatha* who in council with *Foulque* lay their plans. *Agatha* enters the library and tells her that the King is about to enforce the marriage between her and *Paul*, and thus induced her to steal away. *Foulque* is at the door awaiting them, and she is borne to the Apostate's Baths, which she refuses to enter from awe of the place, her screams attract *Rhodolphe* who is seeking an interview with *Freida* at the same time, he rushes forward to release her, wounding *Foulque* in the arm. *Freida* in her anxiety for *Rhodolphe* begs him to go instantly to the King and relate the whole fact, but he delays with *Bona*, and *Foulque* maddened at defeat, goes forward and accuses *Rhodolphe* of having killed the Demon Wolf by sorcery, and of having in his possession a broken Crucifix, which had been broken to propitiate the demon: strange fatuity of the period when such idle stories would be credited. *Philip's* jealousy removed all scruples, and *Rhodolphe* was tried and condemned. *Frieda* was now frantic, *Bona*, too, had disappeared, but that

was nothing ; her whole energies were employed to save *Rhodolphe*. Having got two pilgrim's dresses, she prevails on the *Queen* and *Agatha* to put them on, and bring all their jewels even to the *Queen's* royal cestus, to bribe the cupidity of the *Chef des Rats*, who consents to liberate *Rhodolphe* on condition of a substitute being procured. *Freida*, who overheard the promise made by *Chretien* relative to the ring, abstracts it from *Agatha* and despatches *Caleb the Suabian* for *Chretien* who bears with him this talismanic signal. She then prevails on *Agatha* to induce *Chretien* to make this sacrifice, who has to undergo a severe struggle with herself before she consents. On *Chretien* arriving, she, with the most subtle and refined delicacy, broaches to him the matter, who, shocked and disgusted at her selfish cruelty, rebukes her for her heartlessness, and admitting that did he not wildly dream he was dear to her, the fatal vow would never have been pledged. A vow, which though rashly made, should nevertheless be redeemed, his only regret being the absence of the good *Archbishop*, who could enlighten his ignorance as to whether he erred in thus rushing unbidden into the presence of his Creator, in fulfilment of any vow, no matter how solemnly uttered. *Chretien* being now led to the *Provost's* is placed in the same room, which three years before had been occupied by *Edrid* ; he uttered a piercing cry, and flinging himself before the shrine burst into tears. On the *Provost* retiring he sung the *Regina Cæli*, a hymn in honor of Our Lady, in strains which *Edrid* alone could pour forth.

“ Hail, sainted Mary, glorious Queen
 Of heaven's bright angelic choir,
 Mother of Him who died to screen
 All mortals from eternal fire.
 Mother of Him who, born to save,
 Viewed sinners with a pitying eye,
 And with his latest breath forgave
 His murderers on Calvary.
 Mother of Jesus, deign to pour
 One bright, consolatory ray,
 Which may illumine this gloomy hour,
 And bitter thoughts of death allay.
 Breathe o'er my soul the breath of life,
 Until no thought of earth remain ;
 Remove those doubts, this mental strife,
 And I will love my dungeon chain.
 Give me, oh give thy blessed aid
 To calm those unavailing sighs,

And gleams of seraph hosts arrayed
In never-ending Paradise.

Away, away, this mortal woe ;—
Come, hope and high celestial joy :
Borne on thy healing wings, I go
To heaven and immortality."

On hearing this the *Provost* rushes back, terrified, thinking it *Edrid* raised from the dead, but when informed that the youth is called *Chretien*, his terror knows no bounds ; aware, that the King feels interested in his fate : *Rhodolphe* has however departed, and the victim must be sacrificed.

Freida now, that her purpose is accomplished, is seized with remorse, and knocks wildly at the *Provost's* gate, but receiving no answer, she is seized with a dizziness, and instinctively stretching out her arms in search of support they cling to a colossal cross which was near the *Provost's* door. Prostrate at the base of this symbol of our redemption, a Divine inspiration seemed to pervade her, and bursting forth into loud hallelujahs, fell against the cross and burst into tears. From that moment the *Jongleur* felt conscious of being under Divine influence. The demons of Pride, Anger and Revenge are now displaced by the Angels of Mercy and Truth, and whilst bowed in humiliation at the foot of the cross, the blessed seed of genial repentance were sown in *Freida's* soul, who was from that moment an altered being. Arising from her prostrate condition, she sought the King, with whom was the *Archbishop*, and told him how the *Provost* had accepted a bribe to save *Rhodolphe*, and that *Chretien* was to be executed in his stead. The King, though fired with indignation, arranges his plans, sends for *Gaultier*, who having heard from the *Queen* of *Chretien's* imprisonment, knows all must soon be discovered. He, however, obeys the King's mandate, and riding after him to the *Provost's* house, was commanded to enter and tell the *Provost* that it was now the hour for the execution, and that his presence was required at Montfaucon. The King having explained to the people the misconduct of the *Provost*, he was, without even the form of a trial, forced up the gibbet and executed.

We must now return to *Bona*, whom a party of students met in the Apostate's Grove, and seeing her dressed in a habit of the Sorbonne, proposed she should join their party as they were proceeding to Bourges ; she joyfully acceded, and on arriving there, sought the Convent of St. Mary's, that abode of peace and virtue which had been her saintly home for many years.

Esculo, who was in Bourges, was soon apprised of her arrival. He, having heard a report of *Rhodolphe's* danger, is desirous to visit *Beatriz* to afford her comfort, and brings *Bona* with him. He was, however, rejoiced to find on arriving at the Castle, that *Rhodolphe* was before him. *Beatriz* receives *Bona* with much courtesy; her son, however, is resolved sooner than again wound his mother by an act of disobedience to resign *Bona*, well knowing that his mother would never consent to a marriage with a jeweller's daughter. The *Archbishop* arrives bearing the intelligence of *Gaultier's* death, and the disgrace which had fallen on *Agatha* and *Foulque*. The *Queen* had been pardoned, it being discovered that she was innocently drawn into the matter. To be brief, he then related how *Chretien* was no other than *Edrid*, the son of *Freida*, who had been saved through the intervention of *Enguerand de Marigni* and *De Lor*, who substituted a waxen figure for him on *Mont-faucon*, whilst the Bishop bore him away in the royal carriage, and placed him with *Lagravare*, under the name of *Chretien*. This was the secret that *Jacques* sought to tell *Freida*, who unfortunately rejected the kindness.

We have little more to add. *Freida* was of course received by the *Archbishop* into the Christian church; her joy was unbounded on discovering *Edrid* and she poured forth her soul in gratitude to God for saving her from sacrificing his life, not knowing whom she was offering as a victim. *Edrid*, also, purified from his late trials of passion, resolved with *Freida* to take up the Cross of his Divine Master and work out the salvation of others. They arrived in pilgrim's attire at the Castle of *Beatriz*, where they were received warmly both by mother and son. *Frieda* having called *Esculo* to her, presented him with the documents relative to the birth and claims of *Bona*, and placing *Bona's* hand in that of *Rhodolphe*, told *Beatriz* she was worthy of her son, not alone for her royal descent, but owing to her many virtues. *Beatriz* consents to their union. *Hubert*, still strong in his antipathy to the nobles, unwillingly assents, but refuses being present at the marriage. The Emperor acts as her father on the occasion, and gives her away. Whilst the Archbishop performed the ceremony, *Freida* and *Edrid* departed to take up the cross they had chosen to walk under and work out their heavenly mission. *Frieda*, considering the love of country one of the purest next to love of God, proceeded first to Saxony, and for seven years *Chretien* successfully preached the

gospel. Thence proceeding to Lithuania, where idolatry reigned, they preached Christ Crucified, having gained this permission from the Grand Duke as a reward for having recovered *Jagello*, his infant son, from a bed of sickness. It would be tedious to follow her footsteps, suffice it to say, that tens of thousands crushed their idols before the cross; and, we give in conclusion the last words of that truly entertaining romance, *Freida the Jongleur*:—

“ Although the Jongleurs had thus laid the foundation of Christianity in this benighted land, Freida did not live to see the great work perpetuated. It was not until the year 1386 that Jagello, Duke of Lithuania,—he who in his childhood Freida had restored to health,—influenced by the impress received from her instructions, on the death of his father, avowed his religious sentiments, and was publicly baptized, with all the members of his family and court. Edrid, though far advanced in life, was one of the officiating priests; and within a few months, subsequently, the whole kingdom followed their Duke's example, and Lithuania became a Christian land.”

And now that we have completed our notice of these books, let the writers come up for judgment. Place Barbara Hemphill at the bar. Barbara, we are very happy to be able to tell you that you leave this court without a stain on your literary reputation: we are proud of you as an Irishwoman, and are very glad that we can tell you, you have written as agreeable a book as we have read for many a day, and by very much the best book you have yet published. Sixteen months ago, in the twenty-first number of THE IRISH QUARTERLY REVIEW, in a paper entitled “ Novels and Novelists,” and in which we recorded opinions of Charles Dickens, the wretched shade of *Boz*, precisely such as *Blackwood* expressed three months ago, we had you before us charged with having written a book called *The Priest's Niece; or the Heirship of Barnulph*. Barbara, we then thought you a man, for although you did not wear whiskers, you wore a long Noa's Ark coat, and called yourself “ Author of Lionel Deerhurst.” We said to you: “ *The Priest's Niece*, has unfortunately, a most deceptive title, and one most ill-chosen. It “ takes ” a Protestant reader, who is disappointed at finding that it has nothing about cloisters, or convents, in the Maria Monk style: Roman Catholics, looking at the book, and being alarmed, or prejudiced by the name, will throw it aside, or will read it in an antagonistic spirit; whilst the mere circulating library haunter, who

has been so frequently deceived by the titles of books, will think to himself, as he ponders on the name, *The Priest's Niece*,—

“ His gran' aunt was once King of Connaught,
His Mother Viceroy of Trales,
Priests' Nieces, but sure they're in Heaven,
An' his faylin's is nothin' to me.”

Yet this work is a good novel : full of incident, of invention, of bright flashes of genius, of descriptive power rarely excelled in these days, and placing before us the fair land of Spain, the varying scenery of Scotland, ‘the summer isles,’ the ‘knots of Paradise,’ at ‘the gateways of the day :’ and Ireland, too, has been sketched by our Author. The dialogue is good, worthy the other portions of the story ; and considering the work as a whole, and judging it by the best of our modern novels, it deserves the success it has achieved, by arriving at a second edition, within five months of its publication.

“ It is not our custom to give extracts from novels, and indeed in this particular instance it would be impossible to do so with justice to the Author, who has that true talent of the genuine novelist, by which he is enabled to ingraft scene upon scene, to involve character with character so intimately, and so closely, that not a chapter can be extracted without injury to the story.

“ We hope soon again to find a work from the pen of the Author of *The Priest's Niece* before us, but we hope too, to find it with a less excitable title. A writer, such as this, with ability of the highest order, with invention, quickness of thought, and great power of observation, may, and is, bound to depend on his knowledge of the heart, of life and of the world : the heart, life, and the world are wide enough in their range of thoughts, of manners, and of feelings ; out of such materials then, this Author can create forms of beauty, or strength, or passion ; but these creations must be works of time, and formed with the perfection of elaboration. We earnestly hope that neither the request of friends, nor the golden goadings of publishers, will induce this writer to damage or jeopardise a reputation already more than half made ; the pen too, which has thus been graced, should never be envenomed or stained by the recital of a tale hurtful to the feelings of the professors of any religion. The heart is the property of the novelist ; with it, and the world, alone has he to deal, and if from these he cannot form his story he is not a novelist. If the Author of

The Priest's Niece will but observe these rules, he will produce fictions worthy his genius, and worthy his reputation ; and though he may never achieve the glory of a GREAT NOVELIST, he will, at all events, reach the reputation, the highest any now living can claim, of a good novelist."

Thus, Barbara, we wrote ; leave the court now, and as quickly as you can, always bearing in mind the fact, that easy writing is not easy reading ; come before us with another work ; make it as good as *Freida*, and you will be beloved of Mudie, cherished by Mitchell, and Saunders and Ottley, and demanded by all who like a book showing fancy, genius, study, and knowledge of characters. Barbara Hemphill, you are discharged.

Put forward the other subject. Whitty, you are a literary vagabond : you were found in a disgraceful state of hopeless morality, with a mind reeling in a condition showing that you had saturated yourself with French novels, and had lived too much with men : you are charged with exposing for sale books of a character which, if you persist in writing any more of a like class, must be sold in sealed envelopes, and advertised as "The Swell's (Mental) Guide," or as, "The Silent Monitor, or How to Break the Ten Commandments." But, Whitty, we do not sentence you to silence ; true you have done, perhaps unintentionally, great and grave wrong to society, and have drawn portraits of "living celebrities" not always correct, and have painted all nature from one point of view ; yet you are too able a man, and too clear-headed, and the court hopes too true-hearted and genuine, a man, to persist in writing books such as *Friends of Bohemia*. Think, Whitty, how few women will like to admit that they have read your book ; think how few women could resist the instinctive modesty that would impel them to hide it under the sofa cushion, if they would read it at all ; think what man would or ought to hold a good opinion of a woman whom he loved, and who had been a pleased reader of your volumes ; think of this and say what real difference there is between your book and any of Reynolds', save that yours comes from Smith and Elder, and his from the congenial neighbourhood of "the drabs and bloods of Drury Lane." There is, however, one difference, that whilst Reynolds is only a clever scoundrel, you are one of the cleverest writers of this time. You have, by one book, earned, and well earned and deserved, a reputation such as few men have ever gained by a first publication. Do not, Whitty, the court intreats you, tarnish that reputation by another book such as *Friends of Bohemia*. We

told you, in the course of your trial, what Sydney Smith, not a much abler man than you, but far a wiser one, had said of French women; note now another passage of his, in reviewing *Les Mémoires et Correspondance de Madame D'Epinay*. "It is a lively, entertaining book—relating in an agreeable manner the opinions and habits of many remarkable men—mingled with some very scandalous and improper passages, which degrade the whole work. But if all the decencies and delicacies of life were in one scale, and five francs in the other, what French bookseller would feel a single moment of doubt in making his election?" Would you, Whitty, like to have these sentences written of you? Do not mind the book-sellers; they have, through railways, got much of the "five francs" morality; but a man of your genius can rise above booksellers, for your wings are the voices of the readers. But, you must go in to win; do not desecrate your genius by writing your name up through your *Friends of Bohemia*, and then turning to another phase of literature. The stuff is in you, and good intentions are nothing. Hell, you know is paved with good intentions, but as Julius Hare says, "pluck up the stones, ye sluggards, and break the devil's head with them." Do this, Whitty, and write as you now write, like a man of deep thought, of consummate genius, and of wonderful power of observation, but write, in addition to all these, as a Christian.

The Court has not, Whitty, treated you harshly or unfairly. You have displeased us, but we never forget a wise question of Fuller's in which he demands—"Is there no way to bring home a wandering sheep but by worrying him to death?" You may now leave the bar, but never again come before us with a *Friends of Bohemia*; it has literary power and genius sufficient to secure success for half a dozen novels; it has faults against morality which should condemn a dozen; its success is the best tribute to your genius, and should be the most painful circumstance to your heart.

The Court does not want you to be sentimental, or to come the pious dodge, like Mr. Samuel Warren; do not give us an *Aubry*, nor yet a *Dr. Cantwell*, not yet a *Bellars* nor a *Roper*, nor a *Diego*, nor two she devils like *Lady Beaming* and *Therese*. Do not write a tale of pathos, and stuff, and folly such as Dickens now obtains money for under false pretences; the Court appreciates genuine feeling, but whilst it listens to false sentiment it feels inclined to act, as did that shepherdess who sang,—

"I sits with my feet in a brook;
 And if any one asks me for why,
 I hits him a lick with my crook,
 And says, sentiment kills me, says I."

Write as you *write* in *Friends of Bohemia*, and you cannot fail to write well, but if you are tempted to write another such *book*, this Court will treat you as it ought to treat you, and remember that our maxim is expressed in that wise Italian saying which, like all Italian sayings is good and true when not rascally, "Non v'è il peggior ladro d'un cattivo libro"—NO WORSE ROBBER THAN A BAD BOOK.

Do not again declare that "we, men, want men's books. No body dare write a man's book—a novel, or a poem, or a memoir. When a fellow writes, he considers what can go into a family—what virgin sisters can read; so, because our virgin sisters are idiots, we get idiotic books;" this is bad sense, and bad philosophy, and bad morality, and without religion. Consider that without the "families" at which you sneer you could not have "virgin" sisters such as you despise:—would you have the "men's books," at the risk of having a bride not idiotic and not a virgin? Would you play over again the farce of Godwin and Mary Wollstonecraft? We think not, but you must remember that "laxity of talk" may be harmless: "laxity" of writing may become a deadly evil. As Robert Pollok has it, in *The Course of Time*, a novel was, and is, a book,

"Oft crammed full
 Of poisonous error, blackening every page;
 And oftener still, of trifling, second-hand
 Remark, and old, diseased, putrid thought;
 And miserable incident, at war
 With nature, with itself and truth at war."

Not much of this applies to you, Whitty, as the Court has already shown; but, beware, lest the world, the Court, the "families," and the virtuous sisters, may consider that "men's books," are but "old, diseased, and putrid thought."

ART. VI.—PRINCIPLES AND PARTIES—THE YOUNG PARLIAMENT.

1. *Memorials and Correspondence of Charles James Fox.* Edited by Lord John Russell. 3 vols., 8 vo. London: Bentley. 1854.
- 1 *Contributions to the Edinburgh Review.* By Henry Lord Brougham, F.R.S., &c. London and Glasgow: Griffin. 1856.
3. *Memoirs of the Right Hon. Sir Robert Peel, Bart., M.P.* Published by the Trustees of his Papers, Lord Mahon (now Earl Stanhope) and the Right Hon. Edwd. Cardwell, M.P. Parts II. and III. London: Murray. 1857.
4. *Speech delivered by James Anthony Lawson, LL.D., Q.C., at the Election of Members to serve in Parliament for the University of Dublin, held on the 30th of March, 1857, and five following days.* Dublin: Hodges and Smith. 1857.

The sovereign and the people have been in travail together, and we are now to congratulate the country on the simultaneous birth of a Princess and of a Parliament. From long clothes to crinoline, and from leading strings to the valse à deux temps, the Princess will, no doubt, be trained in the way in which she is to go, and we are happy in the belief that when she is old she will not depart from it. Can this, or anything like it, be presumed in favour of the young Parliament? Her Royal Highness will pass from rosy nurses to serious governesses, and from saints in crape to saints in lawn. From her father she will learn to score music, and from her mother to practise virtue; but what far-reaching conjecture can hit the destiny of the new Parliament? True, it will have its share of nursing, and teaching, and preaching, and of maternal discipline, less gentle, however, than would be sufficient to sustain the comparison between its own training and that of the Princess. Its parent, the Country, has a loud and, truth to say, a masculine voice; an uncommon flow of free and not seldom of abusive speech; a sturdy will, and a broad and heavy hand withal. But we have in this no guarantee that the present Parliament will prove more dutiful or reasonable than its prede-

cessor. It may be that, at the end of its course, the constituencies will have to say, we have piped to you, and you have not danced; we have mourned to you, and you have not wept. The present House of Commons may be taken as evidence of national feeling, but not of national purpose. It means confidence in Palmerston, and nothing more. Possibly the country may have intended to give expression to its eagerness for reform; but, if so, it has failed to convey its meaning in the precise way which a minister is most likely to understand. The failure, however, admits of explanation. The disturbing influences that affect an election are many and powerful, commonly well known and well understood, but often capricious and inscrutable; so that constituencies the best affected towards a measure frequently return either cold friends or avowed enemies. It is fortunate indeed that the people have other modes of expressing their wishes and their purposes than one which private interests and ambition are so largely concerned in appropriating and perverting. The present Parliament is not itself the expression of a purpose; but, if the people have a real purpose, Parliament will be obedient. The easiest Parliament will yield nothing to popular preference, but the most obstinate will bow to the popular will. And it is in this our hope of Reform lies; for otherwise there never sat in Westminster an assembly less likely to deal largely with the question of reform. It contains hardly a score of members bound to a decided course, or whose discretion within certain easy limits is not quite unfettered. Parliament has seldom been so deficient in heart or freshness. A very undue proportion of its new members has been taken from that class of all others which has done most to dishonor the British character. Corn has been perverse, selfish, impracticable, bigoted, stupid; Cotton has been crotchety, visionary, conceited, and unpatriotic; but Money has been altogether infamous. And yet money was never so largely represented in Parliament. Its martyrs and confessors—the Sadleirs, Pauls, Strahans, Redpaths, and Hudsons—have not died, and suffered in vain. English constituencies by the dozen have committed their interests to men who love and cherish that one only interest which accrues upon principal; whose hearts beat time to the fluctuations of the market; whose colour obeys the

panic or rally of the funds, and who look forward to no more distant future than the maturity of their bills.

But, even were Parliament less favourably constituted than it is, and were its leader far less sagacious of the popular mind than we know him to be, there could be no doubt of the permanent supremacy of reform. Reform has no longer to wage an equal battle against this or that inveterate abuse. She has already won her decision victories and established her title. Henceforward she rules without dispute, subject only, like any other sensible ruler, to constitutional restraints. No one is disposed to question a moderate, even if not strictly regular exercise of her prerogative, but if she finds it necessary to upset an institution or two, no matter how rickety or vicious, it must be done after the old English fashion, in the proper manner, with stately delay, and decent ceremonial, in form of law agreeably to precedent, and perhaps in Norman French, but with a redeeming nationality of accent. Under these mild restrictions, the power of reform is unlimited, because the principle is sound, has won its way gradually, and having gained the ascendant is precisely the same that it was on the horizon. In other countries reform is a name for revolution, in this country, reform is itself. A really great principle fairly before the world is certain to triumph. The men who advance it may not believe in it—they may imagine they are merely turning it to account, or that it is a clever invention of their own; possibly they may hate and fear it, and once they have attained their ends, it is the most usual thing in the world that they should disown and decry the means. It is the experience of all ages, that men who have acquired power by the profession of a principle or set of principles, often employ their power to defeat or at least to delay the operation of the principle they advocated. We do not here allude to the threadbare topic of ministerial shortcomings as compared with opposition engagements. Opposition leaders do certainly protest too much, and ministers are undoubtedly too forgetful of their promises, but it is extremely probable that no well-informed Court of Equity, if government could for its vices be thrown into Chancery, would decree specific performance of opposition contracts against a man in office. We refer to those who, having obtained power under favour of a principle, employ that power to defeat, and if

possible to extinguish the principle. The English Revolution furnishes more instances of the kind alluded to than any other event in history; but it also furnishes the most remarkable instance of the vitality of a great principle, resisting every effort to silence and appress it. The Revolution has eventuated in a very limited monarchy upon the basis of civil and religious liberty. The principle is excellent, but this limited monarchy was established by regicides in the person of a man who loved unlimited monarchy as dearly as ever did Tudor or Stuart. Civil liberty was taken under the patronage of aristocratic families, much as an heir expectant is favoured by a money lender; and religious liberty inaugurated the reign of persecution for a century and a half. The fathers of the Revolution were traitors, perjurers and parricides; soldiers who betrayed their flag, churchmen who denied their vows, and children who forswore their nature. Their political profligacy was only to be equalled by their private wickedness, and such as were not greatly bad were profoundly mean. The kings they set upon the throne soon found them to love their own barns better than the house of Brunswick, and had early notice that the prince's prerogative was in fact the prerogative of his ministers, under the sanction of principles which he and they alike despised. The Georges were unwilling to be "Doges;" the governing classes were resolved to be "Patricians," but of the people there was no account. Meanwhile, civil and religious liberty were unknown, unless by name; but that name was in itself a power, and once exalted, drew all things after it.

This it may be said is declamation, loose rhetoric, blind slashing, or, at best, random hitting. Nevertheless the facts are as we stated. Our limited monarchy was the work of the regicides; for Hampden, the associate of Russell and Sydney in the Council of Six, declared after the Revolution, that it was only a continuation of the Commonwealth, and that the Revolution itself began fourteen years before its nominal date. That absolute monarchy was the creed and the ambition of William no one offers to question. We have Whig authority for saying that the Whigs of 1688 "had no notion of freedom beyond their sect or party," and that "with liberty upon the lip, monopoly and persecution were in their hearts." Another Whig authority,* in speaking of

the Parliament, which introduced the Revolution in continuation of the Commonwealth, says that under the "Whig Parliament which brooded over and hatched the popish plot, and under which neither life, nor character, nor property were safe, all was violence, prejudice, and blood. Wilful perjury was rashly believed if not suborned, and such men as Lord Russell proved themselves to be more bloody, ruthless, and tyrannical than all the Stuarts put together." He afterwards declares the same Parliament to have been distinguished by "an infatuated despotism, and an extent of tyranny infinitely exceeding anything ever attempted by the Stuarts." Fox is obliged to admit the revolution to have been the not very remote consequence of 'Oates' Plot,'* and to confess that the revolutionists were indebted to it for their strength and success. We have much the same kind of evidence as to the character of the individual heroes of the Revolution, that we have quoted as to the character of their party generally. The former we described as traitors, perjurers, and parricides; as not even whited sepulchres, but equally foul without and within; seared in conscience, bronzed in forehead, and steeped in iniquity more completely than Achilles in the Styx, so that not one spot in soul or body should be vulnerable to grace. We have good authority for everything we say of them. The villanies of Shaftesbury in private life are not disputed, and we find in the memoirs of Colonel Hutchinson, that he sat in judgment upon and sentenced to death his former associates the regicides, after having declared to the Colonel "if ever the violence of the people should bring the king upon us, let me be damned body and soul if I ever see a hair of any man's head touched, or a penny of any man's estate." Lord Grey, afterwards created Earl of Tankerville by William, and one of the prime movers of the Revolution, a wretch who had turned approver against Sydney and Russell, is described by Lord John Russell as stained with the private vices of licentiousness, cowardice, falsehood, and ingratitude. The seduction of his wife's sister, pursues Lord John Russell, "was aggravated by duplicity to her parents, and barbarity to her." Compton, the Bishop of London, and one of those who invited the Liberator, receives from one Whig historian the complimentary addition of "thelying."† And another‡ says of him, that "he signed the invitation, and in the presence

* History of James II.

† Ward.

‡ Sir James Mackintosh.

of King James, forswore in the worst form his hand and his word. He was ready to sign anything like the libertine and to swear anything, like the Jew in the 'School for Scandal.'" "Vigour and virtue," says Ward, "had fled from the 'seven heroes' as we are taught to think those who invited William to aid their distressed country, and the names of Danby, Shrewsbury, Devonshire, Sydney, and Russell, sink into the dirt. . . . The seven heroes were Shrewsbury, Devonshire, Danby, Lumley, Compton, Russell, and Sydney. **THEY WERE ALL EMINENT ROGUES,** and Russell, Admiral Percival, and Shrewsbury afterwards proved traitors to the cause they had espoused" Churchill according to the same authority, but for his military glory as Marlborough, would only have been known in history as a villain. The infamies of Cornbury and Grafton are "such as to make the heart sick." Halifax was not less corrupt than Sunderland; "though that infamous man, while he contributed perhaps most to the revolution, was the pattern and father of all corruption." Godolphin and Danby are similarly dealt with; and yet it was by these men that the principles of liberty and toleration and the constitutional monarchy were reduced to an authentic form, and accepted as their title to the crown by a race of princes who detested them always, and resisted them while they could.

But the vices of the Shaftsbury and Danbys were not in every instance transmitted with their names. The grandeur and the truth of the principles they had set up were too evident, too beautiful, not to win belief, after a time at least, from those to whose charge they were committed. Children were born to the old whigs, who believed in the reality of virtue, liberty, and conscience. The party desired to see and embrace the principle in its real shape and glory; Liberty was well pleased, and revealing himself in all his beauty and all his majesty with all his smiles and all his lightnings took the party to his embrace, shrivelled up and calcined the corrupt form it had borrowed from Shaftsbury and Danby, transferred the germs of virtue he had himself implanted to his own most glorious essence, and in the fulness of time presented to the world the party of which Burke, Fox, and Grattan were the children. These were the first worshippers of

liberty and reform, these were the first who would exclude no sect or party from her altars, and to whose very grave-stones lay an appeal from the bigotry of later times, when Sheil said so truly that if he were to poll the monuments in the Abbey, Emancipation could rely upon a majority.

It was from this period, from the age of Burke and Fox, thus that liberal principles took their start; forwarded at once, and delayed by the French Revolution. From that period to the present these principles have often been stationary, but they never encountered a real defeat. They have sometimes advanced slowly, and at other times by bounds, but there is no instance of a retreat. The volumes of Fox's correspondence before us, throw a strong but peculiar light upon the infancy of liberal opinions. For a long time Fox, with his many faults and weaknesses, was accepted both by his own party and by the enemy, as the incarnation of liberal opinion. You cannot read his letters without entering into the spirit of his time, and understanding how he ruled the hour. His genius, his learning, his unreserve, his amiability, his very indolence, and recklessness, are seductive; for they strike you as differing alike from the austerity that belongs to ambition, as well as to patriotism; and from the industry that is oftener devoted to the manufacture of parties than to the advancement of principles. His directness and simplicity are typical of the same qualities in the principles he advocates. Simplicity is the test of a great and conquering principle. A good principle in politics as in everything else goes far to explain itself. The arguments in its favour are soon exhausted. When you have said that authority is a trust for the people, that all men are born free, that liberty is essential to progress, that a free press is essential to liberty, that discussion is not hurtful to truth, that taxation without representation is a grievance, that nomination boroughs were a fraud upon the Constitution, that the Church Establishment in Ireland is the worst wrong existing; when you have said any of these things your reasons are at hand, they are even anticipated by your adversary. He will rarely maintain that any of them, as abstract propositions are untrue, or that your argument in support of them is unsound. He will at most endeavour to qualify and refine, or to raise false issues. Your reasons are necessarily few but they are conclusive; like your principle itself they are in the nature of axioms, and cannot

be met directly. But the supporters of the counter principle are very differently circumstanced. If they have to defend arbitrary power, or divine right, or jury packing, or borough mongering, or the Irish Church Establishment, there is no artifice of rhetoric and logic, not used and not needed for the occasion. Fragments of history, and saws of philosophy, and snatches of poetry, misty sublimity, and unmistakeable claptrap are pieced and matched into the defence. As shews of art those speeches and treatises are nearly perfect. Invention is taxed to its last resources; ingenuity contrives new and uncommon shifts; wit, ridicule and enthusiasm play their several parts; and the strongest conservative measures from the slaughter of the innocents to the massacre of Peterloo, as well as every conservative maxim from "we have a law" to "thank God, we have a House of Lords," will be upheld, explained, illustrated, and enforced by reason, example, and authority to an extent, that no vulgar truth of reform could ever require or endure.

Ἀπλούς ὁ μῦθος τῆς ἀληθείας ἔφυ,
 Κού ποικίλων δ' αὖ τ' ἀνδρῶν ἐμνηστεύμαται
 Ἔχει γὰρ αὐτὰ καιρὸν ὁ δ' ἀδικὸς λόγος,
 Νοσῶν ἐν αὐτῷ φαρμάκων δύνται σοφῶν *

Hence is that so much more of the energy of reformers has been expended upon the removal of contrary theories than upon the enforcement of their own doctrines. That was done for them effectually by the doctrines themselves, which came recommended by their own directness and simplicity. It is owing also to its natural infirmity of constitution that conservatism has wasted and dwindled away. It was in possession; it had for its servants Kings and Nobles and Churchmen, and great Ministers, Pitt and Castlereagh and Canning and Perceval and Wellington and Peel; it had the better part of the landed interest devoted to it, heart and soul and mind and strength; it had unlimited funds, unlimited credit, and almost unlimited power. There was an air of romance about it too, a faint suggestion of Prince Rupert and the Cavaliers, or rather more perhaps of Charles Edward and Mar, that made it popular at least with the readers of the Waverley novels. It was supported of old as now by ge-

* Simple the word of truth is from the birth,
 Nor need just judgments highly laboured glosses;
 Their fitness is their proof—but the unjust word
 Diseased in nature, must be drugged by learning.
Eurip. Phænissa.

nuine enthusiasm, and strong faith as well as by profound roguery and perfect incredulity. The amiable, generous, sincere, learned and eloquent Wyndham has written and spoken in defence of the most indefensible enormities of conservatism things that at the moment at least it would be impossible to refute, or even to turn aside. Lord Brougham describes him as having had "the advantages of a refined classical education, a lively wit of the most powerful and yet abstruse description, a turn for subtle reasoning, drawing nice distinctions and pursuing remote analogies, great and early knowledge of the world, familiarity with men of letters, and nobles as well as politicians, with Burke, Johnston, and Reynolds, as well as with Fox and North, and much acquaintance with constitutional history and principle." Further on he describes Wyndham's style as "full of new observation and profound remark. It was "he says" instinct with classical allusion; it was even over informed with philosophic and with learned reflections; it sparkled with the finest wit, a wit which was as far superior to Sheridan's as his to the gambols of the clown, or the movements of Pantaloon, and his wit how exuberant soever still seemed to help on the argument as well as to illustrate the meaning of the speaker. He was, however, in the main a serious persuasive speaker, whose words plainly flowed from deep and vehement and long considered and well weighed feelings of the heart." And this same man, [such is conservatism,] would not hear of voluntary service for the defence of the country, would not vote its thanks to the meritorious soldier, maintained the morality and decency of bull-baiting, and opposed any law restrictive of cruelty to animals. "Upon other subjects of graver import" says Lord Brougham, "his paradoxes stood prominent and mischievous: unredeemed by ingenuity, unpalliated by opposite exaggeration, and even unmitigated by any admixture of truth. He defended the slave-trade which he had first opposed, only because the French Royalists were injured by the revolt which their own follies had occasioned in St. Domingo; he resisted all mitigation of our criminal law, only because it formed part of our antiquated jurisprudence like trial by battle, nay, ordeal by fire and water, and he opposed every project for educating the people."

What therefore has been the result? The common soldier is not only thanked, but admitted to a military order of knight-

hood ; bull-baiting is a misdemeanour ; the slave trade is at an end ; so far from being allowed to "wallop your own nigger," you cannot "wallop your own donkey ;" the venerable wickednesses of the criminal law have been abolished, and by the Conservative Peel ; the very Irish are being educated without a hope or suspicion of conversion ; and other disasters have fallen upon Conservatism too long to catalogue. The wit, the ingenuity, the eloquence of Wyndham are just a specimen of the learned quackery that Euripides despises. If man cannot live upon bread alone, still less can he live upon blue pill and cod liver oil, even of the the light brown description. Conservatism *verum in aîrâ* organically diseased—a born invalid, ossifying at heart from day to day—could not be kept alive upon patronage and exchequer bills ; much more substantial support than rhetoric, wit, fine distinctions, remote analogies, and speeches instinct with classical allusions. Lord Brougham, in one of his essays upon "High Tory Principles," draws a picture of the constitutional infirmity, the essential falsehood of Conservatism, so curious as to be well worth a little study :—

Among the strange sights of the present day, connected with this subject, it is impossible to pass over the solemn mockery lately performed at Paris by the orders, it is said, though it seems hardly credible, of the English Government, in removing the remains of James II., and depositing them in a new church. There was something intelligible and consistent in the restored government of France ordering funeral rites to be celebrated for Louis XVI. and his unfortunate Queen. Nor could any one have greatly blamed Charles II. in this country, had he done something of the same kind upon his returning, instead of basely insulting the ashes of the great leaders of the Commonwealth. Some eleven or twelve years ago, the remains of Charles I. were discovered at Windsor ; and it was not deemed necessary, perhaps not considered very expedient, to bestow any funeral honours upon the dust of him whom the Church of England, in her great loyalty and (we good Presbyterians are bound to add) idolatry, denominates the Blessed Martyr of Almighty God—a Saint who followed the steps of the Saviour, and the shedding of whose blood nothing but the blood of the Son of God can expiate. Whence comes it to pass, then, that such singular respect should have been paid to the remains of him whom the same Church stigmatizes as a cruel and bloodthirsty enemy of herself and the State, and for deliverance from whose Popish tyranny and arbitrary power, by the instrumentality of those who dethroned him, she periodically offers up unfeigned thanks ? Those expressions, indeed, seem to have been wholly forgotten by the conductors of this strange solemnity. He

who was driven from the throne into exile for his misgovernment, and deemed by his criminality to have forfeited the crown, is treated as a lawful sovereign, and one to whom nothing worse than bad fortune could be imputed. "*Reliquiæ Jacobi II. qui in secundo civitatis gradu clarus triumphis, in primo infelicior;*" and the King, who owes his crown to the resistance which our ancestors made against this tyrant, is represented as ordering to be paid the honours due to the royal race—"quo decet honore in stirpem regiam!" But his issue were as much entitled to royal honours, because they were as much of the royal stock as himself; and yet the Parliament, King and all, of this country, thought fit to set a price upon their heads. It really looks as if there were some foolish Tories about the court, who deemed the title of the Royal Family, under the Act of Settlement, less firm than it would be, if the descendants of the Duchess of Orleans, Charles I.'s youngest daughter, were extinct, and those of his sister, the Queen of Bohemia, could claim by the exploded hereditary title which the Revolution of 1688 has for ever set aside. Yet, strange to tell, those very persons seem to have the greatest horror of everything like Popery, and, from a senseless enmity to a mere name, are perpetuating the misgovernment and the misery of a third part of the King's dominions. The whole ceremonial upon the occasion we are alluding to, was of course purely Popish, accompanied with prayers for the soul of the deceased, and, as the accounts add, with "all the solemnities, so powerful in their effect, which distinguish the Catholic Church service." It is reasonable to conclude from this, that no prejudice against Popery having stood in the way of the King's servants honouring the memory of a dethroned tyrant, none will now prevent their adopting those measures necessary to the peace, prosperity, and indeed the safety, of the empire.

And this is Conservatism! These are High Tory principles! Never was their constitutional malady, falsehood, more strikingly disclosed than in the foregoing extract. Tricking itself out in a cast-off legitimacy, Conservatism celebrates the parentalia of a king who had been expelled for proclaiming liberty of conscience a century too soon; and the same Conservatism upholds tyranny of conscience a century too late, and would uphold it for centuries to come in the name of legitimacy and divine right. What learned doctoring could administer to a disease like that? What oratory or statesmanship could keep up an unreality of the kind? The wonder is, that Conservatism was enabled to hold its ground so long against reason and the popular will; but, when it did fall, it was to rise no more. The men whose party designation it was—the missing tribes of Conservatism—were re-organised after their first dispersion, and as a party seemed stronger, more united, and better disciplined than ever. They included every variety of

talent—oratorical, legislative, and administrative, under the greatest statesman of the age; but they never attempted to revive Conservatism; on the contrary, it was in the fulness of Conservative power, and while the country was disaffected towards the persons, even if not estranged from the doctrines of the Liberal leaders, that the essential truth and virtue of reform was most signally triumphant. With a parliamentary majority equal, apparently, to anything, Peel never tried it in reaction. Reform never paused in her career, lost none of her conquests, and suffered no session to pass without adding to them by some unobserved but solid victory. Principles had been avowed, and measures adopted by the conservative leaders which, even before the dissolution of their party in 1846, caused the title Conservative to sit rather uneasily upon it. The criminal law was reformed after the sweeping fashion in which Peel always did his work. The law of parliamentary elections was also reformed, with a view to purity of election—a principle not only not Conservative, but almost revolutionary, as compared with the old Tory theories of the legitimate influence of property. The extended Maynooth grant was a reform of incalculable magnitude, because it was the beginning of a series of reforms adjourned by the calamities of the time and the death of their projector. The Queen's Colleges—a scheme in our minds so little worthy the genius of Peel that we are glad it originated with Mr. Wyse—were, after all, in the nature of a reform, because their assumed principle was borrowed from the National system of education, and involved an affirmation of that principle by a Conservative Parliament, which tended to place it beyond the danger of reaction.

But the great triumph of reform in those days is recorded in the book upon our table, the second part of the Peel Memoirs. The conquest of a mind like that of Peel, circumstanced as Peel was in 1846, is greater proof of the virtue and power of the principle of Free Trade than could have been, furnished by universal bread riots and a march of the provinces upon London. There was nothing to force his surrender; there was nothing to compel his adoption of the principle. His party would have borne him harmless had he thought proper to resist all concession, and there is no doubt that with the immense and consoli-

dated power of administration in 1846, had he decided upon appealing to the country, the protectionist majority would not have suffered material diminution. In any event the party he had drawn together so painfully, and disciplined so carefully, and educated so thoroughly, and made so strong and preponderant, would have indulged his tenderness for Ireland in the approaching famine, to the utmost. They were naturally kind and open-hearted and open-handed gentlemen. They would almost have embarrassed their private fortunes, and were ready to drain the public purse, in bounty to the starving Irish, provided agriculture should be still protected, or at the very worst they would have consented to a temporary remission of the duty upon corn, and returned to the protection duties upon the cessation of the famine. Sir Robert Peel, however, thought differently. At no time friendly to petty or provisional measures, he saw in the first instance, that if the existing law were to be interfered with, the question should be permanently settled; he saw that no final settlement could stop short of total repeal; he saw that free trade in corn let in the question of free trade in everything, and with his characteristic love of completeness in any measure to which he set his hand, he adopted the principle of free trade, with all its accidents and all its consequences. The process by which he arrived at all his conclusions; the spirit of sacrifice in which he gave effect to them; his immediate and unqualified surrender to conviction; the promptitude and decision of his course under conviction; his single-mindedness, whether in abandoning, retaining or resuming power; all these as disclosed in the memoir before us, are so faithful a copy of the working of his mind upon the Emancipation Question, that we have only to refer to our paper upon the first part of his memoirs, and we find all that we think upon that branch of the subject already said. We believe that the rant about betrayal, and perfidy, and treachery, had gone the way of all conservatism, even before the appearance of this volume, and that the country did not wait for its appearance to do justice to its great author. Sir Robert Peel had never committed himself absolutely to a protectionist policy. He had always refused, as he afterwards observed, to give any pledge against the alteration of the corn laws, as they then existed, and had always held that protective duties were in them-

selves evils," and it followed, as of course, that upon a fitting opportunity they should be removed—It was reserved for his sagacity to note the opportunity. It would however be false to say that Sir Robert Peel ever ceased to be a conservative in the sense which he himself attached to the word, a sense which, if generally adopted, would go far to reconcile conservatism with reform.—Conservatism in his view meant nothing else than the preservation as nearly as might be of the existing balance between the powers of the constitution. He considered the commonwealth generally as gravitating round the crown and the aristocracy. Any interference with what he regarded, and perhaps not wrongly, as the centre of our system, was therefore to be resisted as a dangerous if not fatal experiment. You could not, he argued, notably reduce the power, weight, or dimensions of the centre, or greatly relieve the attendant bodies from its attractive influences without driving them into eccentric orbits, or perhaps into boundless space. Where he apprehended no such danger, or became convinced that there was none, or that a change, however, deprecated by his party, would only serve to adjust the balance, he consulted his own judgment, and not the ill-informed tastes or weaknesses of his party. He loved his party not for his party's sake, but for the sake of the country—he did not fall into the common mistake of valuing the raiment more than the body, and the food more than the life. He gave preponderance to aristocracy, not from an undue regard for an order, to which he thought it undesirable to associate himself or his name, but because he considered it useful to the country, as the patient and not the mixture is foremost with the physician who prescribes. He states it very roundly and explicitly himself.

It appeared to me that all these considerations—the betrayal of party attachments—the maintenance of the honour of public men—the real interests of the cause of Constitutional Government, must all be determined by the answer which the heart and conscience of a responsible Minister might give to the question, What is that course which the public interests really demand? What is the course best calculated under present circumstances to diminish the risk of great suffering and the discontent which will be the consequence of that suffering if timely precautions which might be taken be neglected?

If, after mature reflection, there was the honest belief that certain measures ought to be adopted, and adopted without delay, it would

not be consistent with true fidelity to party attachments, with a true sense of personal honour, with a true devotion to the cause of Constitutional Government, to evade the conclusions of a man's own deliberate judgment and to tax his ingenuity for specious reasons for maintaining in debate some alternative of which in his conscience he did not approve.

It was not difficult indeed to find such reasons, and not unsafe to insist on them. There was the full assurance of support from powerful majorities in each House of Parliament well disposed to the maintenance of the Corn Laws. I was not insensible to the evil of acting counter to the will of those majorities, of severing party connections, and of subjecting public men to suspicion and reproach and the loss of public confidence; but I felt a strong conviction that such evils were light in comparison with those which must be incurred by the sacrifice of national interests to party attachments, and by deferring necessary precautions against scarcity of food for the purpose of consulting appearances and preserving the show of personal consistency. I felt, too, that the injury to the character of public men, the admitted evil of shaking confidence in their integrity and honour, would be only temporary; that if a public man resolved to take a course which his own deliberate judgment approved—if that course were manifestly opposed to his own private and political interests—if he preferred it with all its sacrifices to some other, the taking of which would exempt him from personal responsibility, would enable him to escape much obloquy, and to retain the goodwill and favour of his party—I felt, I say, a strong conviction that no clamour and misrepresentation, however sustained and systematic, would prevent the ultimate developement of the truth, the ultimate acknowledgment that party interests would not have been promoted—the honour of public men would not have been maintained—the cause of Constitutional Government would not have been served, if a Minister had at a critical period shrunk from the duty of giving that advice which he believed to be the best, and from incurring every personal sacrifice which the giving of that advice might entail. I felt assured that this ultimate acknowledgment, however tardily made, would amply repair, so far at least as the public interests were concerned, the temporary evil of unjust suspicion and unjust reproach cast upon the motives and conduct of public men.

We think we have not over-estimated the value of Sir Robert Peel's career as a proof that sound principles will prevail equally under discouragement as under favour, once they are before the world. But sound principles have often to encounter enemies more formidable than hostile majorities or popular prejudices. A far more dangerous enemy is corruption; far more dangerous is even a relaxation of public virtue short of corruption; far more dangerous the languor, disarray, and unguardedness that follow victory; infinitely dangerous the presumption belonging

to an excess of strength. Popular extravagance is also a great and, perhaps, an inevitable danger; the timidity and half-mindedness of leaders stand in the way not seldom; but reform has had to encounter all this, and more. Not many years ago the author of the first Reform Bill declared that measure to have been final; and now the idea of finality is as far from his mind or purpose as the idea of Protection. A Reform Bill is about to be laid before the country. It may not effect all possible, all desirable, or even all indispensable reforms; but the drowsiest Conservative will not deal with it as final. The Conservatives are appeased, for the present by authoritative statements that there shall be no organic changes. The greatness of the changes we have already gone through, smoothly and safely, has had the not unnatural effect of making us think a little slightly of the reforms that are every day enacted and effected—reforms much more organic in character than they appear, and which must not only be carried to the account of the first great measure of reform, but which are every one a pledge and guarantee of reforms to come. Any measure of reform, therefore, at all worthy of being offered to the people must be important—nay, must be, to a great extent, organic; and for this reason chiefly, that reform is now the settled principle of all administrations, applicable to all institutions, and that when a measure takes the express style and title of reform, it cannot fail of being a serious, even if not quite an adequate measure. But it is painful to think that, while reform is inevitable, and Ireland must, of course, share in its advantages, reform must owe, on this occasion, so little to Ireland, and that Ireland must owe so little to herself. It would be neither profitable nor pleasant to inquire just now into all the causes of the miserable disorganisation that has left Ireland dumb and neutral on the question of reform. Certain it is that England and Scotland—after a fashion of their own, perhaps, but emphatically and decisively—have declared for reform. Ireland is the only portion of the kingdom that stands utterly disgraced. Ireland, to whom reform is not an abstract principle, a point of honour, or a party motto, but a necessary condition of peace and progress, is the one member of the British Union to whom reform must owe nothing in the present Parliament. Ireland, to whom reform means free religion, free charity, free education, free votes—the right to prosper, the very right to

live—Ireland alone is hostile or, at best, indifferent to reform. The poor old idol, Conservatism, has been fished up from the slough into which popular contempt had dropt it, and now finds an altar in Ireland alone. Reform has a value and a significance in Ireland, different as we have stated from those of reform elsewhere. The same may be said of Conservatism. And, if in Ireland Reform have the meaning we ascribe to it, can there be any doubt as to the meaning of Conservatism? It means a more than Corsican vitality of hatred for the Irish and their religion; it means the treasured recollection of gone-by cruelty, and the sharp appetite for more; it means injury whenever possible, and insult always; it is Nero at a loss for men victims, in a solitude even of flies, but equally ready for practice with the rack or the bodkin; it is a pig on the highroad—in the way, even when running out of the way; obstructing although retreating; causing an occasional upset, and sometimes ridden over, but ever the same perverse, unmanageable, unteachable swine. Nay, we do this Conservatism too much honour; for there has been such a thing as an educated pig—a pig who could tell the hour of the day, and the day of the month, for the bribe of an acorn; but what genuine Irish Conservative could be trained, through any instinct of his, to mark the place of his country in the nineteenth century? Peace, union, prosperity, education, progress—none of these are a bait for him. He hardly realizes the notion that ascendancy is over—that the penal laws have been actually repealed—that we have left the rebellion of '98 nearly sixty years behind—and that martial law, the cat, the triangle, and the pitch-cap are no longer part of our Constitution in Church and State. But Irish Conservatives cannot tell why, and are determined not to learn. And yet it is men like these that Irish constituencies, who could have done otherwise, have sent into Parliament—not statesmen who have taken the thing up for a purpose, like Disraeli and Sir John Pakington, and even Mr. Walpole—but men who positively believe in it and love it. The one element of consolation in all this vileness is derived from the persuasion that Conservatism has reached the last degree of ridicule by becoming something merely Irish. It is Lambert Simnel qualifying for the scullery in England by an Irish coronation. But, in any case, ours is the shame, although the penalty may be remitted. Does the Maynooth grant stand? England alone is to be thanked. Does the National system of education yet exist? England alone protects it. Has

the Catholic soldier the last sacraments in his agony? It is to Protestant England that he owes his salvation. Ireland has sent men to Parliament who, sooner than allow the soldier the services of a priest, would see him die in despair; and rather than that the "wafer-god" should repose upon his tongue, would have him spend its last action in blasphemy. There undoubtedly are men, amongst us who still love to be called Conservatives, and who notwithstanding are liberals and reformers in practice, like Lord Stanley and others we could name in England, but Ireland has sent no such Conservatives to Parliament. We used to refer with pride to the election of liberal Protestants by a Catholic constituency; but here there is not a question between Catholic and Protestant. No man in his senses will connect Irish Orangism with any form of religion. What has the Orangeman to do with the Synod of Dort or Confession of Augsburg? What does he know about the articles of religion or the Westminster Catechism? He believes in whiskey, powder, blood, Fermanagh juries, Sir William Verner, and Lord Roden—that is the full sweep and compass of his religion. Conservatism in Ireland is just a sicklier, but more malignant type of Orangeism. Smooth, civil-spoken, kid-gloved, and perfumed, it coats and preserves with a varnish of civilisation all the instincts and passions of the savage life. Yet we find this Conservatism sharing, and thus destroying, the representation of Louth, Mayo, Leitrim, and Kilkenny. In other counties—such as Sligo, Carlow, and Dublin, and again in towns like Dublin, Belfast, Carlow, and New Ross—we meet it absolutely dominant, and in almost undisputed possession. It is a convenient resource to throw the blame on our disunion, as if disunion were, in fact, something distinct from ourselves—a deity, or demon to be propitiated, as if we could set everything right by a sacrifice to Ate. More or less of the fault may be with those who assume to guide opinion; but there must be something wrong everywhere, or it would be impossible that, under a constitutional government, and with education so generally diffused, the people could be absolutely at the disposal of a few pretenders. In one way or another, we are all accountable for the loss and the disgrace. It is to be hoped we may all profit by the lesson.

In nothing, however, are we more humbled than in

sterility of genius, or even of decent ability which has fallen upon Ireland, as represented in Parliament, within the last few years. Adventurers, with abundant but inferior brains; fops with none at all worth mentioning; Militia captains, made up of moustache and strut; country gentlemen with none but the property qualification; one or two respectable lawyers; five or six other members who can speak connectedly for twenty minutes; these, and a few not ranging under any one class, exhaust our entire list of representatives. What little show of talent does exist, and it is mere show, must go to the credit of the enemy. In number they are half, or only less than half the entire representation; in union, discipline, and zeal they are worth us all twice told, and if they really had a cause to gain, the probability is, they would gain it. It is strange that Ireland should have no man to keep up the tradition, the now lost tradition, of her intellectual equality with the other members of the empire. Grattan and Plunkett were succeeded by O'Connell and Shiel; nor were Doherty and Shaw unfavourable representatives of Irish intellect. Now we contribute absolutely nothing, as far at least as can be known, to the dignity, brilliancy, or wisdom of the Imperial Parliament. Upon other fields of competition we succeed beyond expectation, but take us to Parliament and we subside into dregs or rise and break as bubbles. This, however, is a state of things too unnatural and too unusual to be of long continuance. Our native parliaments were turbulent, factious, and corrupt assemblies—but they were never dull. For many years after the Union we contributed largely, or, at least, fairly, to the oratorical, legislative, and administrative ability of the empire; but all this is for the present at an end. At this moment it would be quite possible to form an administration of Scotchmen alone, if ability and experience merely were regarded; nor would it be once thought possible to form an administration without any Scotchmen. Ireland is never thought of in these arrangements, and we make no complaint upon the subject. Not one single member have we sent to the House of Commons with personal qualities or parliamentary following, such as to command respect. Not one Irish Peer has Eton, Harrow, this or that university, or the great university of the world, experience, study, and official life, been able to work into a cabinet minister. How could it be otherwise? We have

no policy, we are agreed upon nothing, we have no friends, no sympathies, no attachments, little to make us loved, and nothing to make us feared.

We have said in former papers, what we still adhere to, that the blame of Irish disorganization, is not all chargeable upon ourselves. The sad policy of provisional government for Ireland is still followed by those in power. Their one desire seems to be the temporary preservation of a state of things which every one knows to be unreal and unnatural, and which is maintained to the detriment of the national spirit and the national morals. But making due allowance for this circumstance, we are in a far worse position than we ought to be, with all our disadvantages. Perverseness, credulity, pride, meanness, jealousy, division, and weakness of intellect, such as usually mark the Irish members, would be enough to defeat opportunities far more happy than are likely to present themselves; whereas discipline, union, and ability, if not genius, are quite as powerful to ensure success. Let us, for a moment, suppose an Irishman of position, character, and ability; a liberal politician, not below the standard of statesmanship, even if somewhat under that of genius; imperial in policy, but national in his affections, practical but not mean; let him have that high-bred quietness so compatible with high spirit; give him the ordinary knowledge of parliamentary generalship which many men possess; make such a man the leader of some thirty or forty liberal Irish members, as loyal and as disciplined, through intelligence, as are the conservatives through dullness, and then over-estimate, if you can, the effect that such leadership and such following will produce.

We hardly know whether Ireland is destined to see a man and a party of this description; but it is, at least, consoling to think that the work of reform will be done without him or us, if not with us, and that our miscalculations and neglect can have little influence upon the final issue of the struggle. Men are coming from the East and from the West to do what we ought to do, and to reap the reward of our intermitted labours. At the City of Dublin election no less than two hundred and fifty late professing Conservatives voted for the Liberal candidates. We freely bid them welcome, and we have no suspicion as to their motives; but to this class does not belong Mr. Lawson, the late candidate

for the University of Dublin, whose remarkable speech lies before us. He belongs to a class from whom we are very willing to draw recruits. A Liberal of old standing, but hitherto a contemplative, rather than a working politician, he has at length taken the field, and, with a temperate courage that speaks well for the maturity of his convictions, has assaulted the stronghold of Conservatism in Ireland. Mr. Lawson, although not a working politician, has been a working man, and contested the University as the candidate of the working men. Accustomed to deal with realities—the student of real studies—the master of real arts—the doctor of real laws—the lawyer of well-earned fees—he was the fitting representative of those who labour and those who succeed. By those alone was he supported. Whatever is laborious and enterprising in the College went with Mr. Lawson. He stood there, in fact, for Young Trinity. Young Trinity, however, by no means includes the young gentlemen who filled the theatre during the election. The scene was not ludicrous, for that would imply drollery; it was not melancholy, for to that belong interest and pity; it was not strange, for, unfortunately, we have seen it before; but it was painful and indecent—very painful, very indecent. You stood in presence of a room-full of reputed gentlemen and students, whom no tailor could ever cut into gentility—no roblemaker drape into scholarship. You felt sure that few in the hall were destined to scale anything higher than a lamp-post, or would ever dare more nobly than to bonnet a policeman. Some of the orators you knew were sadly out of place, and others still more unhappily at home. It was shocking to hear a clergyman say to the unfortunate youths beneath him he was glad they had not forgotten to give the Kentish fire. It would have been as becoming had he congratulated them upon not forgetting to blaspheme or to talk bawdry, as to appeal to that signal of insult, defiance, and bloodshed. But the man may be effective on a stump who is not so in a pulpit, and an indifferent minister may be a very proper mountebank—

“Worthy thou of Egypt’s blest abodes:

A decent priest, where monkeys were the gods.”

These, then, are not Young Trinity. It is composed of laborious professors and students, who have done more to elevate the character of the University within the last three years than their predecessors had done during the last three

hundred, and who are still labouring, with insufficient courage, and against mortal odds, to raise the College teaching out of the old ruts where it had remained embedded time out of mind, and to set it running upon a smooth and even road. Against this the genius of "disputations" and "respondencies," and jargon in all its varieties, and routine and make-believe, rallied and stood together. All who slumber at council-boards; all who know when they were well off; all who are disposed to let ill alone; all the "quieta non movere" dignitaries; all the elements of Conservatism, in a word, forgetting their gout, and clubbing their crutches, presented a horrid front to Lawson, in the name of Protestantism, Scriptural education, Protection, rotation without progress, Derby, Hamilton, Napier, and our glorious institutions generally, in Church and State.

For the present they have succeeded; but it will be remembered, as Sir Robert Peel stated, in his letter to Dr. Jebb, the then Protestant Bishop of Limerick, the defection of all the young men of promise was the first symptom of dissolution in the old Conservatives before Emancipation. We shall always have Conservatives, as we occasionally meet a coal-scuttle bonnet or Hessian boots with tassels; but the country will take, and must take, the modern fashion. A few years hence Conservatism will be as obsolete as doublet and hose, for there will be no abuse quite rank enough to be worth preservation; but meanwhile Mr. Lawson does not seek to run beyond the natural progress of reform, or outbid any one in promises. On the contrary, he has been obliged to "pitch his Whiggery low," to suit the understanding of the constituency; at the same time that his professions are as distinct and honest, within their proper limits, as can be reasonably desired. We shall quote one or two passages from his speech, as very forcibly illustrating the movement which he represents:—

Electors of the University of Dublin,—I stand before you to answer one question; that question is,—What brings me here? I appear before you as the advocate of principles unpopular with many of you (cries of hear, hear, and no, no). I have had the courage to avow those principles in my address, when I might have shrunk from the declaration of them (cheers). I ask you now to hear me while I vindicate them (cheers). To the students, and to the scholars of this University in particular, do I address myself. It seems to me but a short time since, like one of yourselves, I sat in this hall an eager and aspiring student. I, too, have been a scholar of this

House; for many years have I been resident within its walls; and believe me all my sympathies are with you. I come forward here supported by a body of men in this University, of whose support I have reason to be proud (cheers), many of them differing from me in political sentiment; but they all know this, that the principles which I now advocate have been the principles of my life (hear, hear). I have not put them on for this occasion; but I have come here to state and to vindicate those principles which are the honest convictions of my heart. Gentlemen, I have not, in appearing before you here, the advantage of being supported by any of the Senior Fellows of this great University. I entertain for them profound respect. I have received nothing but kindness from them, and though I have not been fortunate enough, on this occasion, to secure their support, they shall never hear anything from me disrespectful to them or to the high office which they fill; but I honestly confess that my ambition, if I represent this University at all, is to represent the young and vigorous intellect which is now energizing and vivifying it (loud cheers), and if you confer upon me that honour, the greatest in your power to bestow, and the highest to which I can aspire, it shall be my endeavour to aid in the assertion of those sound principles of University reform which were so forcibly stated on this platform by Mr. Haughton (loud cheers)—and in promoting every internal improvement which will make our University keep pace, as it ought to do, with the advancing spirit of the times (loud cheers).

Gentlemen, I have been told that I came here to disturb the peace of this University (hear, hear).—I *have* come to disturb that peace—I recognize not the peace which consists in the deprecation of a contest and in the deprecation of manly discussion upon the hustings. I believe it is thus that truth is best elicited; thus that your youth can be best trained to habits of independent judgment on political affairs, and of generous forbearance for the opinions of others who differ from them, which will fit them to take that part in public life, which is the duty and the right of every man; and, whatever the result of this contest may be, I believe it will redound to the good of the University, the advancement of which I have at heart, and which has a right to command my best and most energetic services. Gentlemen, I honestly confess that I desire to open the University—I desire that it shall not be considered any longer a close borough—I desire that the young men who are growing up, when they may become conscious in themselves of the possession of qualities which fit them for public life, and may aspire to the honour of hereafter representing their own Alma Mater, shall not be told that its representation is under lease, and that they cannot succeed to it until the demise of the present occupants. Gentlemen, I deny that either Mr. Hamilton or Mr. Napier has a vested right in the representation of the University; they are not exempted from that liability which is common to all members of Parliament, to stand upon the hustings, and justify their acts as they can; they are bound, when they ask you to re-elect them, to satisfy you that there are no other candidates so well entitled to represent this great University as the Right Honourable Joseph Napier and Mr. George Alexander

Hamilton (loud cheers). Why, then, do I ask your suffrages this day? I first came to your College as a student having no patrimony, except those talents which God has committed to my charge (cheers). I went from this place to a profession, where, by patient and diligent industry, apart from the turmoil of the political world, I have achieved an honourable position, which makes me independent of the favours of any government (cheers). I delight in the exercise of that profession. By it I am able to satisfy every wish, and I enjoy there that which I value more than anything else—the love and esteem of my brethern of the bar (cheers). I never asked and I never received a favour from any government. Why, then, do I come forward to seek the representation of this University? Why do I put myself by so doing, in opposition to many with whom I have been long associated on terms of the closest intimacy? I have come forward, in the first place, to vindicate the principle, that our University should be represented in Parliament by a graduate of her own. So powerful is the action of this principle, that before I addressed the Electors, two Junior Fellows, who have done much to revivify this institution—men whose moral conduct and firmness, in defending the rights of the College, gained them, upon a recent occasion, the approval of every right-thinking man of the community (cheer); these two gentlemen, Messrs. Galbraith and Haughton, had given their support to Mr. Wilson, who has made the manly, straightforward speech which you have heard this day upon this hustings, and they did so because he is a graduate of this University; although he certainly did not possess a requisite which is generally considered to be necessary for the representative of a University like this—namely, having gained distinctions within its walls. I confess, it did strike me that when he came forward upon University principles, and was able to obtain such an amount of support as this, that I should flinch from my duty if I did not abandon the paths of private and professional life in which I had walked (cheers), and present myself as a candidate for your suffrages. I have now done so, and it will be for you to say whether I have done right or not (cheers, and several voices, “you have”).

But I have yet more to say. My great political object, I frankly avow, in coming here, has been to induce the Protestants and the clergy of this country to rally round a liberal government. I do believe that the Protestants of Ireland occupy a false position—I do believe that they are associated with a party with whom they have no real or genuine sympathy. My earnest desire is to rescue them from that association, and to ask them to rally round a government which is friendly to their Church, and at the same time friendly to measures of liberal reform. I have yet to learn that the genius of Protestantism is not liberality. When I turn to every country of the world except our own, how do I find the parties classed? I find Protestants universally advocating the cause of progress and of reform—I find that the spread of their faith has been coincident with the extension of personal liberty and the establishment of free institutions. Why then is it in this country only that this natural order

is reversed? Are you, in opposition to the very essence of your faith, to be excluded from the ranks of liberalism and of progress, and to range yourselves under the banners of a party whose only political creed is resistance? I come forward to claim and vindicate for my Protestant brethren their true and just position, to rescue them from connexion with a party with which they have no genuine sympathy—the effete and decaying party of Conservatism. I have been taunted here with having stated in my address that I approved generally of Lord Palmerston's policy in this country, and it has been put to me—Has not Lord Palmerston been Protestant in England and Roman Catholic in Ireland? Whose fault is that? I say it is the fault of those Protestants who stood aloof from that government, and gave it every opposition in their power (hear, hear). I ask you to make your choice. Will you commit the fortunes of the Irish Church to the care of Lord Derby? Is Mr. Benjamin Disraeli, under whose banner my honourable opponents served in the House of Commons—is he the Christian statesman to whom we are to look for sustainment of Protestantism? I ask the Protestant clergy can they have reliance on him? What is this party of Lord Derby pledged to? What is Mr. Disraeli pledged to? Mr. Disraeli stated the other day that it was of importance that party distinctions should be preserved—that it was only by means of party that the country could be governed, and he announced himself as belonging to the old Conservative and country party. That party is pledged to resistance to improvement, opposed to the cause of progress and reform, with which the genius of Protestantism is inseparably associated. I have heard it claimed for this party that they are supporters of all sound and rational reforms. But I shall not be driven from this ground by a play upon words—I look to acts. I look to the history of the past. Look to the three great political events of modern times, and see what part the Conservative party took in connexion with them. Look at the Emancipation Act of 1829. We have now under the hand of Sir Robert Peel himself an avowal of the motives which led the Conservative party to concede emancipation; they resisted the force of argument, they denied the justice of the claim, the matchless eloquence of Plunkett could not convince them; but they yielded to threats of violence and rebellion what neither reason, nor justice, nor eloquence could extort from them. Look, again, to the Reform Bill. The old representative system had become unsuited to the growing greatness of the nation; Manchester and Bradford unrepresented, Old Sarum and Gatton sending members to Parliament; but here again the Conservative party were steadfast to their creed, and they strenuously resisted this great and obvious reform as a dangerous innovation. Take, again, the Repeal of the Corn Laws. The agitation for this measure lasted for years; the public mind was fully informed upon the subject and the public voice called loudly for their repeal; year after year it was steadily opposed by the Conservative party; and when Sir Robert Peel yielded at last, and, although the head of the Conservative Cabinet, passed the measure, his party never forgave him the his offence, and he was pursued with persevering malignity to death, by the present

leader of that party in the House of Commons. Are the Protestant Clergy prepared to continue to associate themselves with that effete and expiring party. I ask you, Protestants of this kingdom, to fulfil your proper destiny—to take your proper place—rally round the banner of liberal, rational reform, and no longer associate yourselves with a stationary and decaying party. Do so, and what will be the result? What will be the position of Lord Palmerston in this country? You will place him at the head of a powerful government, a government able to afford to disregard the suggestions of any one section—able to govern for the country—not forced to rule through a party. Let but the Protestant clergy and Protestant gentry of Ireland rally round that minister; let them but take their just part in the administration of his government, and the complaint will be for ever at an end, that their interests are neglected, or that patronage is bestowed upon others to which they are more justly entitled. I am convinced that it has been a disastrous thing that the Protestant Church in this country should be always found in antagonism to a Liberal Government. I know the liberality of sentiment of the great majority of this constituency, and I believe that they do not entertain the extreme opinions to which my honourable opponents have pledged themselves. I know they would be desirous to adopt more just, more temperate, and liberal views of politics. I ask them now to have the courage to make that choice, and to dissociate themselves from the party to which they have been so long unnaturally allied. The Church is a noble institution, full of life and vigour, sending forth its rays of truth into the darkest corners of the land (hear, hear). I call upon you not to bind it any longer to this party which has no principle of life. Pronounce not upon it the doom to which the tyrant of old consigned his victim—

Mortua quinetiam jungebat corpora vivis

Complexu in misero et longâ sic morte necabat.

Unite not that living form to the decaying corpse of Conservatism—shake off this old, unnatural, unworthy association, and take the place which the genius of your religion tells you is your own. Let not the name of Liberal Protestant be any longer unknown in Ireland. Let not the cause of Liberalism and Protestantism be any longer antagonistic. That is the exposition of my creed—that is the embodiment of the principles on which I seek the suffrages of this great constituency.

We stated in our paper upon Mr. Miall and his Irish policy that, for all practical purposes, there was no Liberal party in Ireland not Catholic, and no liberal opinion to speak of outside the Catholic body. The facts to which we appealed in confirmation of that statement were exactly those which have been referred to by Mr. Lawson, for the same purpose; and, as a consequence of these facts, we called upon English Liberals to acknowledge and act upon the doctrine—first, that Irish Catholics were almost univer-

sally Liberal ; and secondly, that they are the only Liberals in Ireland. But we are happy to admit now that Liberal principles include among their advocates at least one distinguished Protestant more than we supposed, and amongst whose titles to distinction it is not the least to have been rejected by the University. The University disgraced itself, as a matter of course, and will continue to do so as long as it can. It rejected Lawson as it had rejected M'Culloch, and would prefer the most unfurnished head, whether as to beard or brains, that grinned and shouted in the hall, to a Newton or an Erskine unpractised in the Kentish fire. But, of its own strength, reform will complete its triumph. It may do so by the hands of the indolent, the reluctant, and the insincere, as well as by those of the earnest and the virtuous ; but its success is not the less assured. Local circumstances, parliamentary tactics, the jealousies of leaders, their weakness or treachery ; popular inconstancy, popular extravagance, miscarriages that look like accident—any and, perhaps, each of these may cause delay ; yet, if we are to judge from the actual power and progress of reform, the respite allowed to Conservatism will never be very long. Sydney Smith enumerates, with laudable pride, the reforms that had taken place in the course of some thirty-five years from the establishment of the *Edinburgh Review* to the year 1839. At the period when that journal began, he says—"The Catholics were not emancipated ; the Corporation and Test laws were not repealed ; the game laws were horribly oppressive ; steel traps and spring guns were set all over the country ; Lord Eldon and the Court of Chancery pressed heavily on mankind ; libel was punished by the most cruel and vindictive imprisonment ; the laws of debt and of conspiracy were then upon the worst possible footing ; the enormous wickedness of the slave trade was tolerated ; and a thousand evils were in existence which the talents of good and able men have since lessened or removed." Never has the power of a great principle been so strongly illustrated as within the last thirty years. Reform has chosen her instruments with a haughty indifference. She turned the conscript Peel to better account than the volunteer Russell, and incorporated the enemy by scores in her battalions. She has chosen adverse times, and strong governments, and hostile majorities for

the especial matter of her triumph. Never for one year has her course been materially altered by change of men or circumstances. Reforms such as the Incumbered Estates measure, the Civil Service examinations, or the Clergy Reserves Act, which Pitt would have encountered with sword and gun, and jury and gallows-tree, which would have revolted Burke himself, and which it never entered into the heart of Fox to conceive—these have been suffered to take place without resistance, and almost without protest; and now, that a new measure of reform is promised and must pass, it will be carried in the virtue of a principle, it will pass under the law of progress, and it will be opposed in the name of a name, and by the ghost of a shade, that, for want of decent burial, is still at large upon the hither side of the Styx. Tenderly would we compose the limbs of old Conservatism, and gently insinuate our charitable obolus into a mouth that never strained at millions sterling; but, alas! there are no limbs to compose—there is no mouth to fill. After exposure to dogs, and all the birds of the press, no more is left of the great Conservative party than what remained of the Long Parliament after its recall in 1659. To name the part would be hardly decent, and it is our desire to be respectful; but it would be a mockery to bestow the honour of sepulture on that. But the coming measure of reform, whatever be its shape or its dimensions, must of necessity be reproductive. Reform, like Lyttleton's successful lawyer, can never be intestatus or improles. We can almost count the numbers and tell the names and offices of the future generations of reform—

“Another yet? a seventh?

And yet the eighth appears, who bears a glass

Which shews me many more; and some I see

That two-fold balls, and triple sceptres carry.”

And against the irresistible principle of reform a little war of outposts is waged by the suttlers of the old army of Conservatism, under an ancient Hotspur in the Lords, and a leader in the Commons whom they would despise if they durst, and who despises them without their leave. Strange infatuation! With Catholics in Parliament, and Catholics in place; with Manchester represented, and old Sarum disfranchised; with the ports open to corn, and the public service open to merit; in such a state of things, full-grown country gentlemen, to the

number of two hundred and over, discreet and proper persons in their own families, trusted, and fit to be trusted, with the management of their own affairs, have, nevertheless, conspired to obstruct and annoy the progress of reform. Like their own bumpkins, who were Papists three hundred years ago, but who now believe in little else than prize cattle and witchcraft, these unfortunate gentlemen Conservatives have no political creed or sacraments to stand for. Neither the Protestant Constitution, nor the parish stocks, nor Protection, nor John Doe, nor Richard Roe, nor the name of a principle has been left them to believe in ; but they still believe in tests, and abjurations, and loose swearing, to keep up whatever of Protestantism or persecution—for they, not we, identify the two—may have survived the fatal measure of 1829. The country may not be fanatical upon points or niceties of reform—probably it cares not much whether this old-clothes-man or that money-lender sit in Parliament ; but it is not of a temper to endure obstruction in its general plans or cavilling at their details. Reform is decreed, progress is decreed, universal emancipation is decreed ; and we have reached the time when neither tactics, nor forms, nor privileges, nor tests will be submitted to if they interfere with the decree. Allegiance nobody refuses ; supremacy and abjuration we also subscribe to, and will enforce ; but it is the supremacy of Reform, and the abjuration of all pretenders, whether they be Mormons, Peace Societies, Evangelical Alliances, Maine-Liquor-law men, or Conservatives.

ART. VII.—WHO WROTE THE WAVERLEY NOVELS?

1. *Who Wrote the Earlier Waverley Novels? an essay showing on Evidence Amounting to Moral Demonstration that Sir Walter Scott's Relation to Waverley, Guy Mannering, Rob Roy, The Antiquary, and the Tales of my Landlord, was that of an Editor.* By William John Fitzpatrick, (Second Edition). *Strengthened by a mass of new, and well authenticated facts.* S. Effingham Wilson, London: Dublin, W. B. Kelly, 8, Grafton-street. 1857.
2. *AN Enquiry into the Origin of the Earlier Waverley Novels,* by Gilbert J. French, *Member of the Royal Society of Antiquaries of Scotland.* Printed for Presentation.—
3. *Captious Criticism, an Essay* by R. Grattan, M.D. *Printed for Private Circulation.*

We admit at once that we sat down to the perusal of Mr. Fitzpatrick's work in a singularly critical spirit, and altogether indisposed to have any of our long cherished associations of the name of Sir Walter Scott interfered with or broken up. We had read years ago all, or almost all, that he was supposed to have written, and, with equal pleasure, we had read all that was written about him. Now and then, to be sure, the "grumblings" which have now ended in a positive peal of thunder, reached, and for a moment discomposed us. In our younger days, we, in common, of course, with thousands of others, had listened to the tale of Thomas Scott, the Paymaster, and his wife, being, in some way or other, mysteriously linked with the composition of the earlier Waverley Novels, but these *on dits* possessed little interest for us at the time, and such passing speculations as they did give rise to were finally set at rest, as we thought, for ever, by the reported declaration of Sir Walter Scott himself at the Theatrical Fund Dinner in Edinburgh, on which occasion, when "the Health of the Author of Waverley" was proposed by his friend Lord Meadowbank, he is said to have replied:—"I plead guilty, nor shall I detain the court by a long explanation of why my confession has been so long deferred. Perhaps caprice might have had a considerable share in the matter. I have now to say, however, that the merits of these works, if they had any, and their faults are all entirely attributable to myself." The

strain continues still stronger as he proceeds : " I mean then, seriously, to state," he goes on, " that when I say I am the author, I mean the total and undivided author, with the exception of quotations, there is not a single word that was not derived from myself, or suggested in the course of my reading." This is strong language certainly : but it is very probable that Sir Walter's speech may have been too strongly reported, for in a letter addressed by him to the Editor of the *Edinburgh Weekly Journal*, printed by Mr. Fitzpatrick, we find the following. " Sir :—I am extremely sorry I have not leisure to correct what I am stated to have said at the dinner to the Theatrical Fund. . . I hope your reporter has been more fortunate in other instances than in mine. I have corrected one passage. . . Other errors I have left as I found them, it being of little consequence whether I spoke sense or nonsense, in what was merely intended for the purpose of the hour."

In 1836 appeared the *Life of Sir Walter Scott, Bart.*, from the pen of the executor, Mr. Lockhart, who from his connexion with the great man, ought to have known as much about him as any human being could, and who, if the spirit of truth was in him, was bound to tell it, in its entirety or not at all. We confess, however, that we never could make up our minds to accept Mr. Lockhart's dazzling account without an accompanying mental protest. It wore always to us a great deal too much the air of a biographical romance, in which the hero performed gigantic feats out of all proportion to the human strength. It had the fault common to all eager panegyrists—it proved too much, and still more, it had the vulgar fault of endeavoring to elevate the character of it's favorite by sinking the claims of others, and depreciating them when it dare. We were struck, in particular, with the always loose and fragmentary way in which the name of Thomas Scott was mentioned, when we remembered that Sir Walter himself must have had the very highest opinion of the literary talents of his brother. In 1809, as the following letter shows, he sought Thomas Scott's co-operation when establishing *The Quarterly Review*. The opening passage refers to a new edition of Shadwell's plays which Thomas Scott had projected :—

" DEAR TOM,—Owing to certain pressing business, I have not yet had time to complete my collection of Shadwell for you, though it is now nearly ready. I wish you to have all the originals to collate with the edition in 8vo. But I have a

more pressing employment for your pen, and to which I think it particularly suited. . . . You are to be informed, but under the seal of the strictest secrecy, that a plot has been long hatching to countermine the *Edinburgh Review*, by establishing one which should display similar talent and independence, with a better strain of politics. . . . Now, as I know no one who possesses more power of humour, or perception of the ridiculous, than yourself, I think your leisure hours might be most pleasantly passed in this way. Novels, light poetry, and quizzical books of all kinds, might be sent to you by the packet; you glide back your Reviews in the same way, and touch upon the publication of the number (quarterly), ten guineas per printed sheet of sixteen pages. If you are shy of communicating directly with Gifford, you may, for some time at least, send your communications through me, and *I will revise them*. We want the matter to be a profound secret." In 1814, shortly after Thomas Scott had gone to Canada, we find Sir Walter offering him the substantial sum of £500 for a novel intermixing humorous detail with descriptions of scenery, and which he himself would undertake to revise and prepare for publication. It was hardly to be supposed, we thought, that a man so intellectually gifted, and who was considered capable of such efforts, should, at the same time, have been incapable of giving some mark of it in his epistolary correspondence, extracts from which, were assuredly due to his memory, and must for many reasons have greatly added to the interest of the book.

But Mr. Lockhart it seems thought otherwise. This intellectual and gifted man, throughout the whole memoir, is brought on the scene as seldom as possible, and when all is done, we venture to say, that the general impression left by what is said will tell rather against him, than in his favor; and that so far from being looked upon in the light which he deserved, and in which his brother officers (as Mr. Fitzpatrick shows) regarded him, he will be considered as an extravagant, careless, loose living, good-for-little fellow, who was a drag upon the resources of his prosperous, hard-working brother, and had no notion of the value either of time or money, save to squander both in unprofitable pursuits. Mr. Lockhart is not always so chary of his space; we have copious extracts enough from other correspondents of Sir Walter, many of which have little merit, and less interest to the general eye and mind, and a great deal of which ought to

have been left unpublished; but of the many letters which must have passed between these two clever men—"Arcades Ambo"—Brothers both, in every sense—we have none from Thomas, and only very "few and far between" from Walter. With Mrs. Thomas Scott, (the Paymaster's wife,) and who fully equalled her husband in literary taste, and talent, Sir Walter maintained a frequent correspondence; but not a vestige of it can be discovered in the ten volumes of voluminous, and biographical detail, known as *The Life and Correspondence of Sir Walter Scott*. Mr. Fitzpatrick having noticed this circumstance to Mr. Edgar MacCulloch, J.P., the lady's cousin, he replied by letter as follows:

"As for Lockhart's reticences, any one who has read his Life of Sir Walter cannot fail being aware of them. He is said to have been vindictive; and I have heard that personal dislike led him to suppress any allusion to individuals, whose names one would otherwise have expected to find in that work. Such I believe to have been the case with my uncle, Dr. John MacCulloch, whose valuable and erudite work on 'The Highlands and Islands of Scotland' was written in the form of letters, addressed to Sir Walter Scott."

This unaccountable *hiatus* has been noticed by others besides Mr. Fitzpatrick and Mr. MacCulloch. It struck us years ago, as a strange, and remarkable omission for any honest biographer to make. But both our regret, and our disappointment deepen as we read the ample testimony afforded by Mr. Fitzpatrick's pages, culled from the most reliable, and authentic sources, as to the amiable character, and extraordinary talents of Mr. and Mrs. Thomas Scott. On this head there can be no mistake, and if for nothing else we humbly conceive that the author before us, is well deserving of the praise of all honest and fair thinking men, for rescuing the brother of the man whose memoir Mr. Lockhart undertook to write, from that calumnious shadow which it is well calculated to throw, and for doing his best—and in our opinion that is a great deal—to relieve both the name and character of a man of genius from the unpleasant odour, which has been floating about them, ever since the publication of this one-sided book.

We must take leave, also, to say that Mr. Lockhart is by no means a man whose assertions are to be taken on trust; his own literary career gives ample proof that he never hesitated to assert whatever would serve the immediate purpose he had in view,

and, so thinking, we are not surprised to find him sporting with, and indeed rather glorying in than otherwise, the lax notion of literary veracity which was one of the besetting sins of Sir Walter's life. He takes great delight in recording the efforts which his illustrious relative made, at one time, "to puzzle and confound the mob of dulness," at another "to mystify the public," again "to try another experiment on the public sagacity," once more, "to set the mob of readers on the stare," by any and every sort of mystification "to entrap reviewers," and to surround himself with a halo of mystery, which after all, as every body knows, he was determined should be so conducted as to lead both to his profit and his fame. Lockhart's treatment of Hogg, the Ettrick Shepherd, of Sir William Gell, of Doctor John Mac Culloch, of Mr. French, and others, must go far to unsettle our reliance on any statement he may make, and his treatment of the Ballantynes was altogether so illiberal, ungenerous, and withal so untrue, that we can only account for his utter want of taste and candour, by supposing that in some of Sir Walter's moments of "mystification," his Boswell formed a particle of "the mob of dullness."

"Bibliographers," says Mr. Fitzpatrick at the close of his work "are acquainted with a remarkable, but now exceedingly scarce pamphlet, published in Edinburgh in 1838, entitled *A Refutation of Mr. Lockhart's Misrepresentations in the Life of Sir Walter Scott, by the Son and Executors of James Ballantyne*. Its arguments ought not to be forgotten, and for this reason, coupled with the fact, that we have seen it stated in biographical sketches, that Scott was ruined by his connexion with the Ballantynes, we revive a few of the more respectable opinions of the Press on the case.

Chambers' Edinburgh Journal said:—"Mr. Ballantyne's friends triumphantly vindicate his fair fame, and show that, so far from his being in any degree the cause of the ruin of Scott, the latter was the cause of his ruin." The *Literary Gazette* said:—"Warmly and powerfully vindicated." The *Naval and Military Gazette* said: "The letters written by Lockhart to Ballantyne on his death bed, full of professions of the warmest gratitude, and most cordial attachment, afford a lamentable specimen of the hollowness of the world." The *Spectator* said:—"It disproves the statements of Lockhart, by the production of counter evidence, leaving the biographer in no very enviable light." The *Times* said:—"Goes far to

unsettle Mr. Lockhart's conclusion." The *Morning Chronicle* said :—"Lockhart has been led to do great injustice to the Messrs. Ballantyne." The *Sun* said :—"There are few who, before reading this plain, straightforward statement of facts, could persuade themselves that the son-in-law of Scott could misrepresent, as he is proved to have done, the character and conduct of two excellent persons, who were the victims of the aristocratical ambition of his illustrious relative." The *Edinburgh Chronicle* said :—"This book will ever afterwards divest Lockhart's word of any authority."

Those who remember the mercilessly cutting, and bitter tone adopted by Mr. Lockhart against not only the public acts, but the private characters of those unfortunate men, both of whom Scott, at one period, ruled with a rod of iron, using and abusing them at the same time, cannot but be grateful to Mr. Fitzpatrick for rescuing from ephemeral pages the salient points of an intelligible defence made for them, and placing it on record in a work which will last as long as that *Life of Scott*, which, in edition after edition, has continued so unrelentingly to pursue their memory with poisoned arrows.

Sir William Gell, the antiquary, who was generally the chief companion of Sir Walter when in Italy, was requested by Mr. Lockhart to send him his reminiscences of the great man. Writing to Lady Blessington, January 22, 1834, Sir William says :—"As for Mr. Lockhart, I much fear that he is not good for much, and I am certain he got the work, for I sent it to Mr. W. Hamilton, who gave it with a request that he would not omit a word of it in printing. There are no remarks, except such as tend to explain away, and render less ridiculous, the total want of classical taste and knowledge of the hero, in a situation full of classical recollections, and which I have added that I might not seem insensible to his real merits. They were written for the family, and, therefore, nothing offensive could have been inserted. . . I shall send a copy to you, and if the life is published by the said Lockhart, without use of my papers, the best way will be to sell it to the bookseller, and to let it come before the public." Five months later (June 2, 1834) Sir William goes on to say :—"You have had a great deal of trouble in fishing for a decent escape from the business of Mr. L., and I thank you for it. I do not desire to do anything disagreeable to the wishes of the family, but I think it very ill-judged of them not to place everything in

its true light." Sir William concludes the subject with an allusion to "that want of candor which spoils the book without hiding the truth." A portion of Sir William Gell's "Life of Sir Walter Scott in Italy," was subsequently inserted by Mr. Lockhart, under the title of "Memoranda."

Robert Southey, in one of his last letters (vol. iv. p. 538) speaking of Cottle's "Réollections" says:—"Nothing ever made me so fully aware how incorrect the most careful biography must inevitably be, than what I saw in this book, and in the Life of Sir Walter Scott." In another letter (p. 510) Southey complains of certain passages in his correspondence with Scott having been suppressed.

We might multiply proofs, if our space permitted, of Lockhart's determination to suppress any and everything that clashed with his object in elevating his idol at the expense of whatsoever object interfered with it, but we have said enough and quoted enough, to let our readers see that a man actuated by such motives as he wrote with, is not to be trusted, when the claims of another to share in the glory of the literary renown of Sir Walter was the matter to be handled by him.

As to the wholesale claim said to have been put in by the poet himself, at the Theatrical Fund dinner, it is really good for nothing, if we contrast it with his own assertions made at different times.

The following line of argument is in reply to Mr. Francis Ballantyne, who was the first to fling down the gauntlet, and constitute himself the great champion on the other side. It will be seen that Mr. Fitzpatrick when put upon his mettle, has met his opponents courageously, and in a very conclusive way.

That the author of "Marmion," he says, would descend to the degrading practice of falsehood, in his ordinary intercourse with society, I do not, nor ever will, believe; but certainly there is ample evidence to show that he never scrupled very broad equivocation (to say the least) in matters immediately connected with literature. There are many who consider such things allowable. Scott would appear to have been one of them.

"Sir W. Scott," writes Mr. Ballantyne, "was well known to possess as much honor and integrity as any gentleman in Scotland. Can his assurance to Lord Meadowbank, be seriously discredited by Mr. Fitzpatrick (*and this declaration remains on record to confront him*), that he was the sole and undoubted author of the Waverley Novels?"

I cannot think that Sir Walter's assurance to Lord Meadowbank is entitled to greater credence than his reiterated denials extending over fifteen years, that he had any "hand, act, or part," in the composition of the novels. These solemn renunciations of all know-

ledge of their paternity are distinctly remembered by many at the present day who heard them, and to whom they were made. It is easily seen that Mr. Lockhart, in the discharge of his duty as Scott's "literary executor," wishes to place as few of them on record as possible. Three or four detailed cases, however, appear; but the descriptive circumstances are usually so diluted, that their introduction here can prove of but partial value as an argument.

At a dinner given by the Prince Regent, in Carlton House (p. 312), his Royal Highness called for a bumper, with all the honors, to the author of "Waverley," looking significantly at Scott as he charged his own glass. Scott filled also, and said, "Your Royal Highness looks as if you thought I had some claims to the honors of the toast. I have no such pretensions, but I shall take care that the real Simon Pure hears of the compliment that has been paid him." The company present comprised the Dukes of York and Gordon, Lords Hertford, Fife, and Melville, the Right Hon. J.W. Croker and Chief Commissioner Adam. Lockhart, in his second edition, tells us that he has been assured by two gentlemen, who were at the dinner, that the Prince did not, on this occasion, run "so near the wind" as was originally represented in the text. This statement is corroborated by an entry in Moore's Diary, on May 13th, 1829:—"Dined with C [roker] Party at dinner—Lord Palmerston, Lord Lowther, Sir George Clerk, and Spencer Percival. The conversation agreeable. The King, it appears, did not ask Scott (as I have always understood) whether he was the author of the novels; he only pointedly alluded to some character in them, upon which Scott said, 'Sir, it is impossible to mistake the meaning, &c., &c., and I beg to say,' disclaiming in the most decided manner his being the author. This was going out of his way to deny; had the Prince *asked* him he *might* have been justified in doing so; but volunteering an untruth in this way is unintelligible; always taking it for granted that the story is true, which it may not be. C [roker], however, said he was by when it happened."

Thomas Moore in his Diary (vol. ii, p. 199), records a conversation with Samuel Rogers on the "Scotch novels":—

"Scott gave his honor to the Prince Regent they were not his; and Rogers *heard* him do the same to Sheridan, who asked him, with some degree of brusquerie, whether he was the author of them. All this rather confirms me in my first idea, *that they are not Scott's*. Another argument between us, on the justifiableness of a man asserting so solemnly that a book was *not his*, when it really *was*. I maintained that no man had a right to put himself into a situation which required lies to support him in it. R. quoted Paley about the expediency of occasionally lying, and mentioned extreme cases of murder, &c., which had nothing whatever to do with the point in question, and which certainly did not convince me that Scott could be at all justified in such a solemn falsehood. At last Rogers acknowledged that saying '*on his honor*' was going too far, as if the simple, solemn assertion was not equally sacred."

In the recently published Table Talk of Samuel Rogers (p. 193),

a detailed account appears of Scott's protestation "upon his honor" that he had not written *Waverley*. The incident occurred at Lady Jersey's.

In a letter to John Murray, dated December 18th, 1816, in answer to one from that eminent publisher panegyricising "The Tales of my Landlord," Scott writes:—"My dear Sir,—I give you heartily joy of the success of the 'Tales,' although I do not claim that paternal interest in them which my friends do me the credit to assign me. I assure you I have never read a volume of them until they were printed, and can only join with the rest of the world in applauding the true and striking portraits which they present of old Scottish manners . . . I have a mode of convincing you that I am perfectly serious in my denial—pretty similar to that by which Solomon distinguished the real mother—and that is by reviewing the work, which I take to be an operation equal to that of quartering the child."

On 18th January, 1819, Scott, writing to Mr. Richardson, goes on to say, after informing him of an attempt made by the wife of one of the Edinburgh judges to ascertain the author, "In plain words, I denied the charge, and as she insisted to know who else could write these novels, I suggested Adam Ferguson, as a person having all the information and capacity necessary for that purpose."

Six years after, during Sir Walter Scott's sojourn in Dublin, he visited Marsh's Library with a well known bibliographer as his cicerone. Among other particulars connected with this visit which appear in the *Irish Monthly Magazine* for November, 1832, is the following:—"The Librarian entered into some familiar conversation with Scott, and carelessly abandoning the immediate theme, 'do you know, Sir Walter,' he remarked, 'that it was only the other day I finished your Redgauntlet?' 'Sir,' said the Baronet with perfect composure, 'I NEVER MET with such a book.'"

I am sorry that Mr. Ballantyne and the other opponents of my views should have compelled me, in self-defence, to revive these denials: but the line of argument they have adopted has created the necessity. The declarations of sole authorship are clearly more than counterbalanced by the solemn and deliberate renunciations previously.

Mr. Shilleto, of the University of Cambridge, laid great stress in *Notes and Queries* on a declaration of Scott's in the General Preface, viz.—that Thomas Scott was not the "author of the whole or a great part of the Waverley Novels."

Sir Walter Scott might safely make this declaration without telling an absolute falsehood, but certainly not without a certain amount of mental reservation, which, as the sequel will further shew, he never scrupled in his literary transactions.

There is a letter of Sir W. Scott's preserved in the MS. Library of Trinity College, Dublin, in which he distinctly assures his correspondent, Mr. C. G. Gavelin, that he had nothing whatever to do with

* Sir Walter goes on to say, that "the report had some alliance to probability, and indeed might have proved, in some degree true."—See General Preface to the "Waverley Novels."

the revision or publication of the second edition of Swift. This letter had not turned up when Mr. Lockhart introduced the following passage into his 60th Chapter. He had at this period (1824) been a member of Sir Walter's family for four years, and spoke from personal knowledge:—"Sir Walter had a labor of some weight to go through in preparing for the press a second edition of his voluminous Swift. The additions to this reprint were numerous, and he corrected his Notes, and his Life of the Dean throughout, with considerable care."

For reviewing his own "Tales of my Landlord," in the *Quarterly*, Scott has been severely censured. Taking advantage of this tempting opportunity, he devoted a large portion of the article to an elaborate defence of his own picture of the Covenanters, which Dr. Macrie had trenchantly assailed. Speaking of this attack in a letter to Lady Louisa Stewart, sister of the late Primate of all Ireland and an influential person in her way, Scott writes:—"I have not read it, and certainly never shall. . . I make it a rule never to read attacks made on me."

This letter is dated January 31, 1817. In the number of the *Quarterly*, published January 1, 1817, appears Scott's Reviewal of his own "Tales"—the greater part of which is occupied with a clever confutation of Dr. Macrie's still cleverer attack. It was the zeal with which Scott entered into the matter which at first aroused suspicion. Mr. Lockhart, when he gave this celebrated Review a place in "Scott's Miscellaneous Prose Works," would seem to have forgotten the Historical Introduction of 1829. "The plan of this edition," writes Scott, "leads me to insert here some account of the incidents on which Waverley is founded. They have been already given to the public by my friend William Erskine, afterwards Lord Kinneder, when reviewing the 'Tales of my Landlord,' in the *Quarterly Review*, in 1817!" Mr. Lockhart gives it as his opinion that a portion of the critique was written by Erskine. Certes, all the original M.S. of the Reviewal was in Scott's autograph. Erskine died in 1822.

From this it is evident that Scott was never very scrupulous about what he either said or did in his literary transactions, and that certain declarations of the General Preface, to which such importance has been attached, should be flung over-board in judging this question. Conscientiously guarded by a species of mental reservation, which some study and research has enabled me, as I believe, to see through, he made declarations of being the unassisted author which were not even literally true.*

Now, from all this, and a great deal more to the same purpose which could be quoted, there are two facts palpably evident, namely, that Mr. Lockhart manipulated his materials with

* Setting the more considerable aid aside, was Scott the unassisted author of the "Waverley Novels?" Sir Adam Ferguson, William Erskine, Mr. Train, James Ballantyne, and others, were known to have given Scott valuable assistance in his novels, at various times.

more ability than candour and that Sir Walter himself in his literary capacity had always an abundant supply of "mental reservations" about him. But Mr. Fitzpatrick has had a more generous object in view than to establish facts, so unfavorable to Scott and Lockhart. He has extricated Sir Walter with great ingenuity from the ugly position which a superficial knowledge of the fact might, in some estimations, place him, and he has shown, we think, very satisfactorily, that his conduct throughout the trying circumstances of his literary career was that of an affectionate brother and honorable man. Indeed Mr. G. J. French in the second *brochure* upon our table feels and expresses this; "Mr. Fitzpatrick," he says "does not write with any desire to detract from the fair fame of Sir Walter Scott: but on the contrary has with much ingenuity endeavoured to excuse and extenuate the errors and discrepancies which assuredly rest upon his memory." We are glad to observe, from the "Opinions of the Press" annexed that the Rev. Dr. Wilmot, editor of the *Literary Gazette*, and formerly the critic of the *Times*, views Mr Fitzpatrick's work in a similar light. "No imputation," he writes, "rests upon the good faith of Scott apart from the habitual mystery sustained as to his novels, nor is there the remotest idea of detracting from the genius and power universally recognized in his writings."

We have seen how Mr. Fitzpatrick cleared away the principal difficulties which opposed the investigation, and which some of our brother critics have very freely strewed before his path since the first edition was published. We now come to the main argument, and will very shortly show that the author had very excellent grounds to go on, and that his progress over them has been vigour, and successful.

The whole controversy arose in this way. We prefer letting Mr. Fitzpatrick tell his own tale where we can.

On Saturday, November 3rd, 1855, there appeared in *Notes and Queries* bearing my address and signature, an article commencing in the following words:—

"It has often seemed to me, and I believe to others, that the seventy-four volumes of the Waverley Novels could hardly have been the work of Sir Walter Scott's pen exclusively. People have latterly whispered that Alexander Dumas, and Mr. G. P. R. James receive, *sub rosa*, considerable assistance in their Novel manufactures. The interesting 'Tales of the O'Hara Family,' which some thirty years ago excited a marked sensation in literary circles, were, until quite recently, believed to owe their popularity entirely to John Banim. A memoir of Mr. Banim, at present appearing in the *Irish Quarterly*

Review, informs the public that his brother Michael, ex-Mayor of Kilkenny, wrote 'Crohoore of the Bill Hook,' the 'Croppy,'—in fact, some of the very best of the O'Hara Tales. Recent memoirs of Hannah More assure us that Bishop Porteous flung his masculine thought and sense into her famous novel of 'Cœlebs in Search of a Wife.' The forthcoming life of Maria Edgeworth, if honestly told, will reveal the invaluable benefit her works derived from the intellectual co-operation of Richard Lovel Edgeworth.

"Sir Walter Scott had a brother who died in America, on Valentine's Day, 1823, singularly endowed with literary taste and talent; but, except by a few personal friends, he has long been forgotten. Various accounts which have reached me from time to time, decidedly warrant the opinion that Thomas Scott, Paymaster of the 70th Regiment, together with his gifted wife, had some important share in the composition of the 'Waverley Novels.' Some of these masterpieces of fictitious narrative appeared in such rapid succession, that the mere manual labor of transcribing could not possibly have been accomplished by any ordinary writer in the time. Sir Walter must have had friendly assistance; but he was not a man likely ever to have revealed any secret calculated to lower his literary prestige. The whole secret, doubtless, died thirty-three years ago far away in the plantations of Cararëda. No body expected to find any startling revelations in Scott's 'Life' by his son-in-law, and none were found. In any case, it would have been most difficult for Lockhart to know all Scott's literary doings. In chap. xxxvi. he expresses his ignorance of how far Sir Walter was concerned in Terry's dramatised version of 'Guy Mannering,' but presumes 'that he modified the plot, and re-arranged the dialogue.' Similar expressions of doubt appear in the book. Nor is it surprising. The vigour of the Novels had begun to flag before Lockhart ever saw Scott."

The foregoing appeared in *Notes and Queries*. After some further remarks, Mr. Fitzpatrick proceeded to lay before its readers a curious letter, which appeared in the *Quebec Herald* of July 14, 1820, and which the Editor of that Journal pledged his word to have been written by "one of the most respectable gentlemen in Canada." Here it is:

York, December 12th, 1818.

With respect to these new publications, "Rob Roy," &c., I have no hesitation in saying I believe them to be the production of the Scotts. I say the Scotts, because Mr. Thomas Scott (who was the principal part of them) was often assisted by Mrs. Scott; and the works were generally revised by his brother Walter before going to press. The "Antiquary" I can answer for particularly, because Mr. Thomas Scott told me himself that he wrote it, a very few days after it appeared in this country. Any person who had the least intimacy with the paymaster would at once recognize him as the author of these celebrated works. The same native humour, the same cast of expression, and that intimate acquaintance with Scottish manners and the Scottish annals, which are in almost every page of those works, could be traced in his conversation by any person of the least observation. Besides this, I have often heard Mrs. Scott describe the very originals from whom the principal characters are drawn. The

Antiquary himself was an intimate acquaintance of the paymaster; his name I have now forgotten, but he lived in Dumfries;* and that finely drawn character, Dominie Sampson, was an old college acquaintance. Flora McIvor's character was written by Mrs. Scott herself. I have seen several of the manuscripts, in Mr. Scott's possession, of his other works; but I do not recollect seeing any of the novels in manuscript except the "Antiquary." I am pretty certain that it is his own handwriting."

It may be worthy of remark that this interesting article appeared in a Canadian Journal under the very eye of Mr. and Mrs. Thomas Scott, and was copied at once into every American Newspaper. The Paymaster or his gifted wife never contradicted it, but by their silence converted into a public, what was originally a private admission. This we think is an answer to the letter which has recently appeared in *The Times* from their daughters.

Mr. Fitzpatrick proceeds, in forensic fashion, to state the case as follows:—

In the last century Walter Scott, Esq., of George's square, Edinburgh, enjoyed a lucrative business as writer to the Signet. He died in 1799, and his second son, Thomas, succeeded him. Like most persons, however, of literary propensities, the latter made but an indifferent man of business. "His varied and powerful talents," writes Mr. Lockhart (p. 124), "were, unfortunately, combined with some tastes by no means favorable to the successful prosecution of his prudent father's vocation." We are further informed (p. 189) that "about the time when Thomas Scott's affairs fell into derangement, but before they were yet *hopeless*," he was appointed to an office worth £250 a year, under his brother Walter, and through his patronage. Thomas Scott was deeply embarrassed, and his creditors gave him considerable annoyance. Soon after the appointment, "he was compelled to withdraw from Edinburgh to the Isle of Man, leaving his official duties to the care of a substitute, until circumstances should permit his return. It was not, however, found so easy to wind up his accounts, and settle with his creditors." Thomas Scott possessed some military experience, and from having previously served in the Edinburgh Volunteers, he found little difficulty in obtaining a commission from the Duke of Athol who commanded the Manx Fencibles. For several succeeding years he and Mrs. Scott resided in the Isle of Man. That Mr. Lockhart desires it to be inferred that Thomas Scott retired to that refugium to avoid threatened personal arrest, is obvious. In 1810 we find him (p. 189) "anxiously expecting some arrangement which would allow him to re-establish himself at Edinburgh."

* One of the few references made by Lockhart to Mrs. Thomas Scott is that at p. 239 (Edit. 1845), where she is mentioned as having passed much of her early life at Dumfries. Many of the more finely drawn characters introduced in the "Scotch Novels" are professedly daguerrotyped from Dumfries' originals. When resident here she and her brother enjoyed the friendship and intellectual society of Robert Burns, Mrs. Scott was educated and married at Dumfries,

That there never were any regular dividend or formal meeting of Scott's creditors is certain.

In 1812 a war between England and the United States commenced. Soon afterwards the 70th Regiment was, with others, ordered to reinforce the British Army in Canada. Thomas Scott was appointed Paymaster to that corps through his brother's influence, and as there is no evidence to show that he ever returned to Great Britain afterwards, even on leave of absence, as Captain Kelsall and other officers of the Regiment did, his affairs were probably not entirely settled at the time of his demise. Mrs. Thomas Scott paid several visits to England, on, as is alleged, literary business, between the interval of her husband's appointment and death. This latter event occurred on Feb. 14, 1823.

From the evidence supplied by Mr. Lockhart in the Life of Sir Walter Scott, it is easy to gather that Thomas Scott was obliged to absent himself from Scotland to avoid imprisonment for debts which he had no means of discharging, however honorably anxious to do so. The law in cases of this kind has often been laid down. Of course whatever property Mr. Scott or his wife might possess or acquire in Scotland, would, so long as their affairs remained unsettled, have been liable to seizure. That both had some important share in the composition of the earlier Waverly novels, the following pages must, I think, conclusively prove. It was clearly of paramount importance that no legal connection between Mr. and Mrs. Thomas Scott and such a valuable property should have been publicly recognised, admitted, or traced. Such acknowledgment would not only have damaged all *prestige*, and upset the progress of those splendid works, but have roughly drawn down an embargo upon the Copyright.

It would have been worthy of Walter Scott, and doubtlessly was so, gradually to reduce the Scottish liabilities of his brother, by employing a large portion of the profit realised by the earlier Tales, in satisfying the claims of the most destitute, or importunate of the creditors. Doubtless, whatever liabilities, which from peculiar circumstances came within the category of debts of honor, were the first discharged. It is possible that the late Marquis of Abercorn, for whose Scottish Estates Mr. Thomas Scott acted as confidential auditor, was included in the latter arrangement. Walter Scott, as the acknowledged agent of his brother Thomas, had frequent interviews with Lord Abercorn. We find him (p. 240), taking a long and inconvenient journey to Carlisle, "for the transaction of business connected with Thomas Scott's administration of that nobleman's Scottish affairs."

A letter to Thomas Scott in Canada, written during the Autumn of 1814, and printed by Mr. Lockhart, laudably suggests the liquidation of his debts by means of mental exertion. Scott tells him to write a novel intermixing humorous detail with descriptions of scenery, and to transmit it to him for revision.

When Thomas Scott sailed for Canada in 1813, Walter Scott was in high popularity as a Poet. Although he had reached the mature

age of forty, and had repeatedly attempted to produce a readable work of prose fiction, it is clear, on his own shewing, that each signally failed. In the General Preface to the *Novels*, (p. ix) he observes that "in 1800 he had nourished the ambitious desire of composing a tale of Chivalry, with plenty of Border character, and supernatural incidents, to be called 'Thomas the Rhymer.' It was given up, however, at the tenth page." Another attempt, "*The Lord of Eversdale*," also broke down. "About the year 1805," continues Sir Walter Scott, (p. xi.) "I threw together about one-third part of the first volume of *Waverley*, having proceeded as far as the seventh chapter. I showed my work to a critical friend whose opinion was unfavourable. I therefore threw aside the work."

In 1805 Scott undertook to prepare for publication some posthumous papers of Strutt, the distinguished antiquary, among which was a fragment of a novel entitled "*Queen Hoo Hall*." Scott completed it, as he thought, artistically; but it appears from his General Preface that "*Queen Hoo Hall*" was far from successful. This is the fourth record of failure.

In 1810 *Waverley* was resumed, and submitted to James Ballantyne for his opinion. Ballantyne's letter in reply is dated September 16, 1810. Considering that it is a courteous private letter, and not a public criticism, we may regard the fragment of *Waverley* even of less value than might be gathered from the friendly critic's remark. "The account of the studies of *Waverley*," he writes, "seems unnecessarily minute. There are few novel readers to whom it would be interesting." "*The Novel*," observes Mr. Lockhart, "appears to have been forthwith laid aside again."

We have seen that, until 1813, Walter Scott had signally and repeatedly failed as a writer of prose fiction. Hints which have reached me justify the opinion that Scott placed experimentally in his brother's and sister-in-law's hands the condemned fragment of *Waverley* shortly prior to their departure for Canada.

In chemistry, it is a common principle that two bodies which separately tested are weak, ineffective, and inodorous, form, when united, a powerful, and often beautiful element. In philosophy, as there are two noises, respectively loud, but when struck simultaneously, produce silence, so also are there discordant sounds, which, when similarly excited, create delicious harmony.

I am not of opinion that Mr. and Mrs. Thomas Scott, intellectually gifted, as they admittedly were, could themselves alone have produced a powerful and sparkling Romance: but on that happy principle which we every day behold in the ramifications of Nature, Art, and Science, I look upon an intellectual, literary admixture, as likely to have formed under the circumstances, a striking and a beautiful result.

The various accounts which have reached me from time to time, in relation to this enquiry, concur in stating that the earlier *Waverley Novels* were forwarded to Walter Scott, in a rough unfinished guise, and that he not only carefully revised but transcribed the

manuscript throughout.* Doubtless as he went along, his rich poetic fancy, gilt the thread of Narrative. Doubtless, too, he cancelled much, filled the vacuum with bright creations, flung out into bold relief the characters introduced—strengthened their outline, grouped them dramatically, purified the sentiments and language, and finally guided to a crisis, with mechanic skill, the lagging, and perhaps originally crude plot.

There is in none of Scott's, or Mr. Lockhart's published writings, not even in the communicative General Preface to the collected edition of the Novels, any admission, or allusion, which could even indirectly lead one to suspect that Thomas Scott shared in the profits of "*Waverley*." Moore records, however, in his Diary of October 29th, 1825, written during his visit to Abbotsford, that in the course of a *tete-a-tete* conversation Sir Walter "mentioned to his no small surprise and pleasure, the novels as his own—that he had begun *Waverley* long before, and then thrown it by, till having occasion for some money to help his brother, he bethought himself of it. By this he made £3,000."

The clearly established connection, on the authority of Sir Walter's casual assurance to Moore, between the novel of *Waverley*, and Thomas Scott and his difficulties, deserves attention. The celebrated General Preface, although replete with particulars respecting the origin and progress of *Waverley*, is silent on the point referred to by Moore.†

Mr. Fitzpatrick's article in *Notes and Queries*, produced a visible sensation, and many rejoinders sprung out of it. The principal one of them, however, was from Mr. Ballantyne, who called upon the public "to suspend their judgment," and promised that "in a fortnight's time" he would let loose such an avalanche of information as must inevitably crush all scepticism beneath it. The fortnight elapsed, and Mr. Ballantyne appeared not. At length his mountain brought forth a very

* Scott thought nothing of transcribing, even when no particular object was to be gained by doing so. Moore mentions in his Diary, that when he got books for review he copied the extracts sooner than literally cut them up (as most Critics do) or place them in a compositor's inky hands to "set up." Mr. Lockhart relates several instances in which Scott, for the purpose of mystification, transcribed the writings of certain contemporaries of his acquaintance.

† Moore, in the same day's journal, continues to record his desultory after dinner conversation with Scott. Speaking of Holt, the Irish Rebel chief, Scott said,—"I could have put a thousand pounds in his pocket by getting him to tell simply the adventures in which he had been engaged, and then dressing them up for him." All this is evidently expressed with the confident tone of a man who was in the habit of refining literary gold: and yet, strange to say, there is no evidence, in Lockhart's Life of Scott, to show that he had ever revised another's writings; although two letters to his brother appear, one dated 1809, requesting papers for the Quarterly Review, which he would revise, and another in 1814, requesting a novel, which he would also revise. "All that you want," said Scott, "the mere practice of composition, I can supply, or the devil's in it."

ridiculous mouse indeed.* Mr. Ballantyne leaned altogether on Sir Walter's assertion at the Edinburgh dinner, and left the question solely depending on that single fact. This, together with some illiberal animadversions, stimulated Mr. Fitzpatrick to further enquiry, in order to make good his belief, and substantiate the promises expressed, and accordingly he put himself in communication with almost all the surviving brother officers of Thomas Scott whom he could hear of or reach. Our author says: "There is not a more startling proof of the uncertainty of human life than the fact that out of nearly ninety officers, full of strength and vigour, who had been contemporaneously attached to the 70th Regiment (though not *all*, at the same time) with Captain Thomas Scott and his lady, not more than a dozen now survive. Much curious and important evidence has doubtless perished with them." Mr. Fitzpatrick having communicated with the survivors, has been singularly fortunate in his appeals. There is not one of them who did not believe Thomas Scott perfectly able to answer the expectations formed of his talents by Sir Walter himself, and their belief is general that he, assisted by Mrs. Scott, did so.

"Send me a novel," says Sir Walter, writing to his brother, "intermixing your exuberant and natural humor with any incidents and descriptions of scenery you may see, particularly with characters and traits of manners. I will give it all the cobbling that is necessary, and, if you do but exert yourself, I have not the least doubt it will be worth £500; and to encourage you, you may, when you send the manuscript, draw on me for £100 at fifty days' sight; so that your labors will, at any rate, not be quite thrown away. You have more fun and descriptive talent than most people; and all that you want, *i.e.*, the mere practice of composition, I can supply, or the devil's in it. Keep this matter a dead secret," [a very necessary caution] "and if," it continues, "you are not Sir John Falstaff, you are as good a man as he, and may, therefore, face Colville of the Dale." [In other words, if you cannot claim the honor of

* "We were exceedingly amused," says the *Liverpool Albion*, "with one feature in this new 'Battle of the Books.' As soon as ever W. J. F. had started his doubts, Mr. Francis Ballantyne put forth a counter manifesto, saying, only in more words, with the witch in Macbeth, 'I'll do, I'll do, I'll do.' But the result has amply proved that he is neither witch nor conjuror. When his promised refutation appeared, it turned out to be a very popgun, the lightest of all light artillery, blank firing with no shot, and 'no nothing,' putting weak questions and effecting faint denials, with, to use his own word, a 'rickety' joke or two, and then a baffled retreat from the Redan which he has failed to carry. Meanwhile, W. J. F., with trumpets flourishing, and lance in rest, is in the lists, waiting, like a good knight and true, to do his *devoirs* with all corners."

writing it, you will nevertheless derive a more substantial benefit, and may, therefore, plunge *con amore* into the labor.] "Mind that your MS attends the draft. I am perfectly serious and confident, that in two or three months you might clear the cobs," [i.e., your Edinburgh difficulties.]

"If the worth," comments Mr. Fitzpatrick, "of the next projected novel of the Waverley series, as it came crude and unfinished from the Canadian crucible, was estimated by Walter Scott at £500, why should he restrict his embarrassed brother to a draft for £100 only with the MS. ? Because, as the inference expresses, the remaining £400 would be applied, as by previous arrangement, to 'clearing the cobs,' or, in other words, to the liquidation of troublesome debts."

"But if a crude story, fresh from the pen of Mr. and Mrs. Scott, would be worth £500, it must, after undergoing vivifying revision from Walter, have been value for at least four times that sum. So much revision may he have bestowed on his brother's writings as to consider their success owing to himself, and that for this reason he might safely view them with a parent's eye. Canova always employed a workman to execute in the rough whatever piece of sculpture his fancy planned. It was the statuarist's finishing touch that gave life and spirituality to the conception."

The letter concludes with the following playful passage:—

"I beg my compliments to the hero who is afraid of Jeffrey's scalping knife."

This allusion was clearly to Thomas Scott's fair *collaborateur*, who very naturally must have winced before the probability of receiving a 'slash' or two from the leading reviewer of the day—a man whose critical acumen had struck terror through the length and breadth of the literary world—Francis, afterwards Lord Jeffrey.

Here, "or the devil's in it," to use Sir Walter Scott's own phrase, is a direct enunciation that the poet believed his brother perfectly equal to the task of writing a good novel, and although Mr. Lockhart ingeniously throws cold water on the facts of his having done so, it is hardly to be supposed that a man in difficulties, and with ample leisure, would have hesitated to try his hand in an effort where he was promised efficient assistance, and we *now* know, through Mr. Fitzpatrick's indefatigable enquiries, that there is no reasonable doubt whatever, but that Thomas Scott, aided by his accomplished wife, *did* get through some considerable quantity of literary composition at this, and subsequent periods.

Colonel White, Colonel MacDonell, Colonel Kelsall, Major Sweeny, Captain Colles, Lieutenant Mahon, Lieutenant Bland, in fact, every brother officer Thomas Scott had, are all quite positive in their belief, that Thomas Scott and his talented wife, were the main designers of "the Scotch Novels," properly so called, and that Sir Walter was the manipulator who revised and prepared them for the press.

Out of a mass of documentary evidence, which taken conjointly, amounts to demonstration, we select one or two letters bearing strongly on the subject. Lieutenant Mahon's letter, dated from "Corr House, Ballinasloe," runs thus—

Some months previous to my leaving the Regiment in 1817, Mr. Thomas Scott occupied apartments in the Barracks at Kingston, Canada, *next to mine*, when I repeatedly heard him up very late at night and alone, Mrs. Scott being in Great Britain. Knowing he had no regimental accounts to attend to then, as there was another officer at that time doing *his* duty, I alluded one day, in course of conversation, to his sitting up so late. I was the only officer then, who, from the situation of my apartments, *could* have been aware of this fact. Mr. Scott unreservedly replied that he was engaged in *revising a novel*; but it would appear that he said so unguardedly, for he hurriedly and at once changed the subject of conversation. I have ever since been under the impression that both himself and Mrs. Scott, who was also highly talented, and full of anecdotes, had materially assisted Sir Walter Scott in the earlier Waverley novels: but until very recently I never heard that it was suspected these works were a joint production. I do not remember any conversation in the Regiment as to the authorship of these novels, nor do I think I ever mentioned what Mr. Scott said to me to any of the officers, as judging from his manner I thought he would not wish it.

Among the various communications elicited in *Notes and Queries*, during the slight ventilation of the subject, was a letter from Mr. Edgar MacCulloch, Jurat of the Royal Court of Guernsey, and a cousin of the late Mrs. Thomas Scott. Mr. MacCulloch, observed that Thomas Scott married Elizabeth MacCulloch of Ardwall, in Kirkcudbrightshire, and that her knowledge of the legendary lore of her native province of Galloway was very great. Mr. MacCulloch added that it was generally thought in her family that she had supplied many of the anecdotes and characters which Sir Walter Scott worked up in his Scotch novels. "Much of the scenery described in '*Guy Mannering*,'" proceeded Mr. MacCulloch, "appears to have been sketched from localities in the immediate vicinity of Mrs. Scott's birthplace; a remarkable cavern,

the cove of Kirkclaugh, for example, being pointed out to tourists as Dirk Hatteraick's cave.

"Many of the features in the character of the miser, Morton of Milnwood, in *Old Mortality*, are traditionally ascribed to a Mr. MacCulloch of Barnholm [in Galloway,] who lived about the time of the civil wars described in that novel." Mr. MacCulloch went on to say that these circumstances appeared to him worthy of being recorded, and might perhaps tend to elicit further information on the subject.

In a letter to Mr. Fitzpatrick, Mr. MacCulloch observes :

A strangely eccentric man, the late Mr. MacCulloch of Barholm, was fully persuaded that he had formed the prototype of Harry Bertram, in what relates to the dilapidation of his estates by the machinations of a dishonest lawyer. The estate was entailed, and his father, by carelessness, and unbounded hospitality, plunged himself in difficulties, and died, leaving his son a minor. When young MacCulloch of Barholm came of age, he succeeded in recovering some of the property, and wrote, as I have heard, a pamphlet, exposing the villany of the "Glossin," who had taken advantage of his minority to make away with large portions of the estate. The old tower of Barholm, from which he takes his territorial designation, was thus disposed of to the proprietors of the contiguous estate of Kirkdale. Any one, with the descriptions of "Guy Mannering" fresh in his mind, cannot but be struck with the resemblance between the old tower of Barholm, on a height overlooking the modern house of Kirkdale, at no great distance from the sea-shore—the cave of Kirkclaugh, with the spreading bay of Wigton, and the wooded glen (a very haunt for gypsies), and the description of the auld and new places of Ellangowan, and their surrounding scenery.

The belief of Colonel MacDonell, C. B., is not less energetic than Lieutenant Mahon's. His letter to Mr. Fitzpatrick is exceedingly interesting, on many accounts. It follows up and completes a long chain of circumstantial evidence especially tending to connect the Canadian Scotts with the novel of *Guy Mannering*.

Portobello, Edinburgh,
June 21st, 1856.

Sir,

I have to acknowledge the receipt of your letter of the 17th instant. I have read it with great interest, having ever been convinced, from many circumstances, that Thomas Scott and his wife, were, to say the least, great contributors to the *Waverley Novels*.

What I know of the case is simply this. In 1814 and 1815 I was in command of the eastern district of Upper Canada, and resided in the town of Cornwall, where the 70th Regiment was stationed under my orders. Mr. Scott was Paymaster of the corps, and as they did me the honor to admit me to be a member of their mess I was, of course,

very intimately acquainted with all the officers, and *particularly so with him*. Throughout the two years referred to I had a great deal of intercourse and conversation with Mr. Scott, often of the most serious description, and in which his sense of honor and veracity was always traceable. Occasionally, Thomas Scott would come to my quarters to take his glass of grog, and talk over Scotch stories, of which he had an endless store; and he told them with infinite humour, being a remarkably intelligent and well informed person. He was in fact an *alter-idem* of his brother Walter, whom I had the pleasure of knowing at a later period. I have repeatedly heard the officers of the 70th say, that when a new novel of the Waverley series appeared, they immediately recognised the characters to be some personages Tom Scott had previously detailed to them in his convivial moments. This fact I well remember hearing spoken of as indisputable. And, moreover, I have a perfect recollection that he, Thomas Scott, one evening told me, that "his wife Elizabeth could never shew her face again in Galloway, as she had let out so many family stories they would never forgive her." I understood him to allude particularly to "Guy Mannering." Indeed, he also told me, that she had sent—or rather it strikes me *had taken*—home to Walter *as large a mass of manuscript "as could be tied up in a pocket-handkerchief."* And I was not surprised when, some years after, I was told in Edinburgh, that *she and Sir Walter used to be closeted together for hours*; as I had no doubt they were preparing and arranging the matters for the press. Mrs. Scott I saw so little of in Canada, that I cannot now remember having met her there; but I did so, in Edinburgh afterwards, when I well recollect having been struck with her intelligence and *esprit*.

The old newspaper cutting which you enclosed does not relate to me, but to my worthy friend and old messmate, the late Major General M'Donal. Unfortunately for me I was neither the *aide-de-camp* of any general in the war referred to, nor was "our special correspondent" a being then in existence. Had the *Times* thundered as loud then as it has done for the last twelve months, I should probably have been now a senior general officer to Lord Hardinge by *eighteen years*, instead of having actually less rank this day, than I had *before*, I (gratuitously) won the two actions of Ogdensburg and Chateaugay, on each of which, and especially the latter, hung the instant destiny of all British America! That is, as Alison says, of "nearly one-ninth of the entire terrestrial surface of the Globe"—a larger portion of the earth than, I believe, ever immediately hinged on any previous single action, since the creation of the world, and neither of these actions ever made even a corporal! It was considered politic to ignore their vital importance, as it might have taught the natives, the enemy, and the British people, the shameful neglect of the Government. *Sic transit gloria mundi!* You may make what use you please of this letter.

I have the honour to be, Sir,

Your obedient servant,

G. MAC DONELL, Lieut.-Col.
Late of the 79th Regt.

To William John Fitzpatrick, Esq.

"In those days," says Colonel White, "a regiment was one large family, and officers were really *brother officers*." Colonel White used to be constantly in and out of the house, and he scarcely ever entered without finding Mrs. Scott at her desk with a heap of MSS. before her.

Lieutenant Bland, who dates his letter from the island of Walcheren, writes :

I have frequently heard it remarked, that Mr. and Mrs. Scott, wherever they went, made it a point to cultivate the acquaintance of all classes in society, in order to study men, manners, and customs, and that, by the result of this scrutiny, they afforded full scope for the prolific pen of Sir Walter, whom they greatly assisted with their pen and knowledge of mankind.

Mr. Hutton, of Grey's Inn Square, writing to Mr. Fitzpatrick, says :

Mrs. Hutton, of Bath, tells me that Mr. Mac Culloch said at her table in Calcutta—at the time the *second* Waverley novel appeared—he had received a letter from his sister Mrs. Thomas Scott, in which she admitted her husband's intimate connection with the authorship of the novels which were then making so much noise in the world.

Major Foxall says :

Mrs. Scott one morning told me in 1817, when apologising for finishing a letter to go by that day's mail to England, that she was sending home some curious and interesting anecdotes, which she had collected from the Highland settlers in Glengarry (near Cornwall in Upper Canada), but she did not say to whom she was sending them.

Another officer writes :

A gentleman of the strictest honour and integrity having had occasion to visit Captain Scott in his official capacity, entered his office somewhat earlier than usual, and being left alone for some time, his eyes wandered over the table, which was crowded with public documents, and inadvertently glanced upon a postscript of a letter, which lay partly open, and seeing signed "Walter Scott," he read the following:—

"Guy Mannering has succeeded admirably, beyond expectation ;
YOU COULD NOT DO BETTER THAN PROCEED."

The substance of an interesting conversation between Colonel Kelsall and Mr. Fitzpatrick is given :

On the 30th March and the 7th August, 1856, I had an interview with Colonel Kelsall, formerly commander of the 70th regiment. I mention the name of that respected officer with his own permission.

He was a Captain of the 70th in Thomas Scott's time. He commanded the firing-party at Scott's funeral, and remembers the general feeling of regret which his death caused. They had to dig through two feet of snow, when preparing his grave. Colonel Kelsall al-

ways suspected, and has now no doubt, that some literary connexion existed between Mr. and Mrs. Thomas Scott and Sir Walter. Of its extent he could form no idea; the matter always appeared wrapped up in much mystery, and as it was easy to collect that any direct inquiries would not be welcome, he had too much delicacy to investigate the subject.

"The reason I did not fully comprehend," said Colonel Kelsall, "but the uniform manner both of Mr. Scott and his lady, was such as could not fail to impress me with the conviction that any direct inquiry into their mysterious occupation would prove unwelcome to them, and awkward to the inquisitor. It was evident they desired to keep their co-operation private from the officers of the Regiment, several of whom were light-hearted, open-mouthed fellows, who knew not what it was to respect a private communication."

Adjutant James Sampson was an exception. He was a quiet discreet person, who united with the best qualities of a soldier, much substantial, personal worth. A countryman of the Scotts, he was understood in the Regiment to possess no trifling share of their confidence and friendship.

In the year 1816, Colonel Kelsall left Canada on leave of absence, and passed several months in England and Ireland. On rejoining the Regiment in 1818, he "had a *tête-à-tête* conversation with the Adjutant, which left a fixed impression on his mind." Mr. Sampson gave the Colonel distinctly to understand that during his absence in Europe certain literary manufactures had been in full vigour of operation. Mr. and Mrs. Scott had been much closeted together; manuscripts were preparing, and Mrs. Scott had even been to England in the *interim*, to look after their publication, and whatever pecuniary arrangements were connected with it. It also appeared that Thomas Scott had so completely neglected his business, that a person had been temporally appointed to discharge the duties of paymaster. "But," again remarked Sampson significantly, "a good deal of pen-work of another sort has been done since you left Canada in 1816."

Colonel Kelsall now regards, as he then regarded, Mr. Sampson's statement as excellent authority. The Colonel looked upon the communication as confidential at the time, and he did not mention it for many years after.

Thomas Scott was quite celebrated in the regiment, and in his own immediate circle of friends, for his extraordinary tact and talent for story telling. Colonel Kelsall and the other officers often remarked, what an admirable story Tom Scott could make out of very indifferent materials. He could rivet the breathless attention of his hearers, or, like Yorick, "set the table in a roar." A narrative of the most common-place circumstances could, in his hands, be made a strangely fascinating story. He embellished largely, but, nevertheless, so adhered to actual fact, that the narrative lost none of its interest even to those who had before heard it, or who were aware of his tendency to amplify.

Mrs. Scott was a most strong-minded woman, highly accomplished, with much judgment and talent, and abounding in anecdote, and literary knowledge.

Colonel Kelsall was not aware, until informed of the fact, by the Editor of these pages, that Colonel White when visiting the Paymaster's quarters, had repeatedly seen Mrs. Scott at her desk, with a heap of mysterious manuscript before her. But whenever Colonel Kelsall saw Mrs. Scott write, which frequently happened, he observed that she did so in a manner at once so bold and fluent, as to establish the conviction in his mind, that she must have been a peculiarly practised writer. During the ten years, that Colonel Kelsall knew Mrs. Thomas Scott, she appeared continually engaged in some engrossing occupation, the nature of which could only be surmised.

Mrs. Scott asked Colonel Kelsall, on his return to Canada, if he had read "the Scotch Novels," and was greatly astonished to hear from him, that in consequence of his extensive professional occupation previously, he had not. She at once made him promise that he should read them then and there. Not content with the Colonel's affirmative assurances, however, Mrs. Scott retired to her room, brought them forth, placed them in his hands, and saw that he was fairly "under weigh" before she appeared quite satisfied. The Colonel afterwards thought, and very naturally, that Mrs. Scott's zeal in the matter indicated something approaching a parental interest.

The plot thickens as we come to the evidence of other officers.

Major Sweeney visited Great Britain and Ireland, on leave of absence, in 1817, and did not rejoin the Regiment until the following year. When leaving Canada, Thomas Scott entrusted to Major Sweeney's care a large, heavy, closely-written MS., with a request that on the Major's arrival in England it should be forwarded to Abbotsford. Major Sweeney did not feel himself at liberty to examine the MSS. throughout; but from a casual scrutiny he was led to believe that it constituted a series of sketches, studies, and rough frame-work, which were afterwards embodied, or amplified, in the *Waverley Novels*.

"From a comparison of dates," comments Mr. Fitzpatrick, "there can be little doubt that the MS. novel referred to in Lieutenant Mahon's letter, and in Colonel Kelsall's evidence, as having been in progress of composition during the spring or summer of 1817, was the rough draft of *Rob Roy*. It strikes me not less forcibly that the large MS. which Major Sweeney conveyed from Canada soon after, and which he imagined to have been a series of rough '*Waverley*' sketches, was, in a great degree, the basis of *Rob Roy*. This suspicion is strengthened by reference to the *Philadelphian Magazine* for May, 1818, (see p. 65, *ante*) wherein it is chronicled that Mrs. Thomas Scott passed through New York a short time previously, and her arrival there was immediately distinguished by an advertisement in the papers of a new Tale in three volumes, entitled *Rob Roy*, as having been put to press in England, 'by the Author of *Waverley* and other Novels.' Sir Walter's Preface to the first edition of *Rob Roy* appears so strangely corroborative of this suspicion, that I am tempted to revive it here.

"Six months previously, he received a parcel of papers, contain-

ing the outlines of this narrative, with a permission, or rather with a request, that they might be given to the public, with such alterations as should be found suitable. These were of course so numerous, that besides the suppression of names, and of incidents approaching too much to reality, the work may in a great measure be said to be new written. Several anachronisms have probably crept in, and the mottoes for the chapters have been selected without any reference to the supposed date of the incidents. For these, of course, the editor is responsible. Some others occurred in the original materials, but they are of little consequence. In point of minute accuracy it may be stated that the bridge over the Forth, or rather the Avondu (or Black river), near the hamlet of Aberfoil, had not an existence thirty years ago. It does not, however, become the editor to be the first to point out these errors: and he takes this public opportunity to thank the unknown and nameless correspondent to whom the reader will owe the principal share of any amusement which he may derive from the following pages."

It is pleasant to see the surviving officers of the old 70th, scattered as they are, unconsciously corroborating each other's views so strikingly. We shall conclude these extracts, already too voluminous, with Mr. Fitzpatrick's account of his visit to the old Doctor of the Regiment.

On the 4th January, 1856, I had an interview with Dr. G—— of Elmgrove, near Dublin, and received from him the following scraps of information:—

He was surgeon to the 70th Regiment from June 18th, 1812, to January 17th, 1828. Soon after joining the regiment it was ordered to Canada, where for many years after it remained stationed. Thomas Scott was one of the most agreeable companions he ever knew. Dr. G—— loved him dearly, and so did all who were fortunate enough to possess his friendship. He bitterly deplored his death. It caused a general gloom. Although thirty-three years dead, Dr. G—— remembers his wit, anecdote, and extensive information, as vividly as the events of yesterday. Few had a more keen perception of the ludicrous in character than Tom Scott. The Doctor often heard him say, in allusion to some eccentric friend, "What a capital character that fellow would make!"

The Scotts were very literary people. They possessed a large number of books, chiefly old ones, and read every new publication that appeared. Dr. G—— knew Mrs. Scott intimately, and always called her "Bessie." She was a remarkably clever woman; and the officers loved to hear her pour forth that fund of Scottish anecdote and reminiscence to which, guided by a safe judgment, she occasionally gave full rein. He always knew that she had a taste and a talent for writing; but never heard her say that she aided the "Waverley novels."

Mr. and Mrs. Scott were in constant communication with "the Great Unknown." Dr. G—— was an eye-witness to it. He has even seen large packages interchanging which may possibly have been manuscript. The "Scotch novels," almost wet from the press, regu-

larly arrived, and both these and the other packages always came *via* New York.

Dr. G—— was fond of reading, and generally got the loan of the novels from Mrs. Scott. When Walter Scott rejoiced in the title of “Great Unknown,” and every *quid nunc* was puzzling his brains to detect the author, Dr. G—— was perfectly well aware of Walter’s connexion with the novels. Tom Scott never maintained much reserve about them, and would often allude to compositions *in petto*, saying, “He is on the second volume of so and so—now; you will see so and so next month.”

For his stock of familiar and supernatural stories, Tom was altogether unrivalled. The officers often sat up half the night listening to his recitals.

Tom occasionally got elevated over his cups: and everybody knows that in *vino veritas*. Colonel White informs Mr. Fitzpatrick that one night having drank pretty freely, the paymaster addressing some of his comrades said, “ah, boys, you’ll be astonished some of these days to find all your names in print.”

Mr. Fitzpatrick hunted up an old army list of the day, and discovered that the name of nearly every officer of the regiment had been introduced, generally identically, sometimes slightly altered, in the Waverley Novels. What is still more coincident the real names are generally given to imaginary military characters! The army list, and the names of the actors who figure in the novels, are very effectively printed in parallel columns by Mr. Fitzpatrick. We find among them a Dalgetty, a McIvor, an Allan Cameron, a Galbraith, a Sampson, and “a host of old familiar names.” Novel readers will remember Captain Dalgetty in the Legend of Montrose, McIvor in Waverley, Sergeant Allan Cameron, in the Canongate, Major Galbraith in Rob Roy, and Domine Sampson in Guy Mannerling. Other parties, whose name and evidence we have not thought necessary to quote, are quite as enthusiastic in their belief of the literary complicity of Thomas and his wife, and looking at the whole matter with a dispassionately critical eye, we cannot see how the fact can be questioned, or cushioned, that Sir Walter was in relation to the earlier tales, merely the lapidary who polished the rough work sent him by his brother, giving to it the credit of his name and the value of his style. This, of course does not detract from the genius of Sir Walter Scott. The attorney who briefed Curran in the case of Hamilton Rowan is not entitled to the fame of the immortal orator’s great speech.

Mr. Fitzpatrick, in referring to the curious information which he has collected, says:—

It is right that the scattered evidence in a case of such literary interest and importance, should be carefully gathered and sifted. Apart from the arguments I have arrayed, perhaps in years hence I will be gratefully thanked for now placing oral evidence on record, which, according to the natural course of events, must otherwise soon have been irrevocably lost.

The phrase "perhaps I will be thanked" is unworthy of a pen which writes the English tongue with such vigour and fluency as Mr. Fitzpatrick's. When may we hope to see this Hibernicism purged out of the language? Purely Irish readers and writers, have no idea how it grates on English ears. The improper use of the words "will and shall," has long sullied the best of Irish, and even Scottish literary composition. Goldsmith, one of the most polished of our writers, has repeatedly fallen into the error. "If I draw a cord," says the author of the *Deserted Village*, "to a great length between my fingers, I *will* make it smaller than it was before." Of course it ought to be *shall* because he speaks of a matter merely contingent.

We must also take the liberty of directing Mr. Fitzpatrick's attention to the improper placing of the word "only." This he has done in three instances; but one will suffice to exemplify our meaning. At p. 40, he says: "This I believe to be only, to a certain extent, true." It, of course, would have stood more correctly thus: "This I believe to be true only to a certain extent," or "to a certain extent only." But we are becoming hypercritical, and must beware of Dr. Grattan.

Mr. Fitzpatrick's style of composition, is, in general, clear, epigrammatic, and forcible: and as his "*Life and Times of Cloncurry*," testifies, he can attain, when the subject tempts, a high order of ornate eloquence. In arranging materials he displays great artistic power; and for logical acumen, few can surpass him.

Throughout the 120 pages, which constitute the extent of the work, there are endless traces of a most extraordinary tact for successful research—a quality much more rarely found among literary men than is generally supposed. Mr. Fitzpatrick had been styled "a literary detective;" and we believe it was poor Terry Driscoll who said that when either of the Irish Commissioners of Police die, Lord Carlisle could not do a better thing than select the author as his successor, and thereby give his analytical talents free scope in a larger sphere.

An Enquiry into the Authorship of the Earlier Waverley

Novels, by Gilbert J. French, Member of the Royal Society of Antiquaries, is an able logical corroboration of Mr. Fitzpatrick's views. It runs to 60 pages, but does not bring to the illustration of the question any of that startling direct evidence which Mr. Fitzpatrick has so zealously accumulated. At the commencement of his *brochure*, Mr. French observes :

Mr. Fitzpatrick's brochure is full of extraordinary interest. Availing himself of much information communicated from various persons since the question was resuscitated, and again buried in *Notes and Queries*, the author has, with great industry and skill, strung together many facts, coincidences, probabilities, fair inferences, and analogical arguments, all tending most convincingly to associate Mr. and Mrs. Thomas Scott with the authorship of the earlier Waverley novels, —so that whatever additional light may be thrown by others upon the subject, with him remains the honour of a highly interesting literary discovery.

The third pamphlet upon our table is a spirited denunciation of that ill-natured and unfair style of criticism which whilom caused the death of Keats and Montesquieu. In a recent number of the *Dublin University Magazine*, there appeared some six and twenty columns of ungenerous hostility towards Mr. Fitzpatrick and his views. Dr. Grattan is evidently a friend of Mr. Fitzpatrick's, and he takes up the cudgels for him *con amore*.

It is stated in this letter (but without mentioning names) that the writer of the article alluded to is a Dublin gentleman, who in May, 1856, foisted upon the then editor of the *University* a piece of criticism still more virulent, but which, when viewed in proof shape by the editor, was ignominiously cancelled by him, to the infinite mortification of the ill-natured scribe. Following the spirit of Captain Marryat's trenchant strictures upon critics, in his admirable novel of *The King's Own*, Dr. Grattan does not hesitate to ascribe the course pursued by Mr. Fitzpatrick's opponent to "the corroding envy of authors." And, indeed, his implacability looks like it. "In July last," observes a note from Mr. Fitzpatrick, to Dr. Grattan, "he privately circulated a pamphlet rancorously assailing me, and had not the chivalrous feeling to let me even see the charges, or inuendos contained in it." It further appears that he had recourse to the dishonorable medium of assault—anonymous letter writing; but with this we have nothing to do. On the literary grounds of the controversy, Dr. Grattan may now be heard.

An eminent critic has confessed with truth that there never yet was published a book, no matter how able or honest, that could not, by means of garbling, and other arts of ill-natured criticism, be made to look almost ridiculous in a Review. It ought to be a gratifying reflection for Mr. Fitzpatrick that the critic, after having exhausted all his cavilling resources on the second edition of this little pamphlet, was at last constrained to hunt up a copy of the first in order to see what points or remarks (which the absence of revision may have left open to hyper-criticism) would present themselves to his eye. *Vide pp. 504, 505, 508, &c. &c., of the University.* The Critic professes to give a syllabus of the evidence, and refute it in detail, but there is not a single good point either quoted, or incidentally glanced at! Every piece of evidence or logical deduction, inconvenient for this sophist to handle (and there are a very myriad of such points) he silently passes by. Were it not for the perpetual mentioning of Mr. Fitzpatrick's name, no reader acquainted with the contents of his pamphlet, could possibly recognise it under the critic's treatment! Other opponents when professing to review the *first* edition picked out a point or two from the cumulative evidence, and beneath an avalanche of blustering counter arguments smothered them. This course, Mr. Fitzpatrick figuratively compared to some booby of antiquity plucking a rod from the Roman Fascia, putting his foot across it, and triumphantly exclaiming, "See how weak Rome is!" The disingenuous critic before me, however, is still more absurd. He chips off particles from each rod, and crushing them in his rude grasp, announces the utter annihilation of the Fascia! Seriously, his production is a tissue of ingenious misrepresentation. Mr. Fitzpatrick's motives, words, meaning, and aim, are misrepresented. But the public will form their own opinions, and not permit themselves to be led by the nose, blindfolded, by any man. Tallyrand once startled a learned society by declaring that he knew a body possessed of more wisdom than all the critics of Paris and London put together. When asked to explain himself he replied, "Public Opinion."

In several parts of the precious lucubration before me, Mr. Fitzpatrick is attacked for words he never uttered, and sentiments he never expressed. Relative to the sneer against him at page 507, when adverting to Rob Roy McGregor, the critic might as well assail a judge for personally uttering the evidence delivered before him in a Court of Inquiry, as to attempt to fasten on Mr. Fitzpatrick an opinion embodied in the two pages of evidence avowedly coming from Colonel Kelsall, and which Mr. Fitzpatrick, honestly and unreservedly printed, precisely as told to him by the Colonel. And yet we find the critic garbling a portion of Colonel Kelsall's evidence and shabbily pretending that it was an incidentally expressed opinion of Mr. Fitzpatrick's.

After much delay and difficulty, Mr. Fitzpatrick obtained access, personal and epistolary, to those surviving brother officers of Thomas Scott, who shared the confidence and friendship of that talented man. He elicited their recollections of what they *positively saw and heard going on* when daily visitors to the apartments of Mr. and Mrs. T. Scott in Canada. Mr. Fitzpatrick, unlike his sippant critic, has not thrust

his own opinions on the public, but honestly submitted such evidence as would enable them to form an opinion for themselves. To stifle the circulation of this authentic, and honestly expressed evidence, and interrupt, by tricky obstacles, the legitimate course of public opinion upon it, has been the undisguised object of the critic throughout his 26 columns of garble and bluster.

Here Dr. Grattan quotes as a specimen of the evidence, the long and interesting letter from Thomas Scott's old friend, Colonel M'Donell, which, as it has been given by us (*ante* p. 488) it is now unnecessary to reproduce. The Doctor continues:—

The critic alludes to this and other important letters in about three words. And what line of argument does he resort to in order to upset it? Simply that "Honest Tom Scott (as we find his brother officers called him) a man described by them as of the highest honor and veracity, told a—falsehood!! The critic must have odd notions of the practices prevailing among honourable men.

Dr. Grattan proceeds to complain of the critic's want of candour in avoiding to refer to the remarkable circumstances of which Colonel White was "an eye and ear witness," namely, the constant preparation of voluminous masses of MS., and certain unguarded remarks of the Scotts themselves.

The critic, in like manner, avoids all allusion to a certain huge "*mass of closely written manuscript of Waverley sketches*" which Major Sweeney, at the request of his friend Thomas Scott, conveyed from Canada to Abbotsford in 1818. The critic also suppresses Colonel Kelsall's evidence which recorded, amongst other revelations, that in 1816 and 1817, "Mr. and Mrs. Scott had been much closeted together, manuscripts were preparing, and that Mrs. Scott had even been to England to look after their publication." He has the coolness to assert that Captain Scott also lied to his American friend who deposes to having been informed by Scott of the existence of the very literary cooperation which is now so violently denied. The concluding portion of this evidence is suppressed, viz., "I have seen several of the MSS. in Mr. Scott's possession, especially the rough draft of the Antiquary."

Here the pecuniary difficulties of Thomas Scott, and the important point based upon that fact (p. 481, *ante*) is discussed.

Mr. Fitzpatrick has shewn, I think, very convincingly that Sir Walter gradually reduced the Scottish liabilities of his brother, by employing a large portion of the profit in satisfying the claims of the most destitute and importunate of the creditors. "It became absolutely necessary, on Constable's failure," observes Mr. French, of the Royal Society, "that Sir Walter Scott's property in the Novels should be publicly avowed. It was equally expedient that no acknowledgment of Thomas Scott's interest, or that of his family and creditors in them, should transpire." In those days the Law of Partnership played very extravagant freaks; and "limited liability"

was a thing unheard of. Sir Walter had, as Mr. Fitzpatrick shews, the imprudence to mix up Thomas Scott's pecuniary affairs, so inextricably with his own, that the unforeseen disaster of 1825 would doubtless have involved him in the unjust liability of discharging a ruinous amount of outstanding debts which Thomas Scott, through headlong improvidence, had contracted in the ardour and folly of youth.

By means of garbling, the critic makes great fun of a generous sentiment, and pleasing metaphor which Mr. Fitzpatrick introduces in his preface, viz., "Few entertain a higher respect for Scott's genius, or more fully appreciate the Shakspearean benefit which society has derived from its exercise, than myself. I do not aspire, with rough, unsparing hand, to tear down the laurels which shadow the grave of Scott. My purpose is mainly to collect some offshoots (which can well be spared), and having searched the churchyard for two uninscribed and forgotten graves, to set amidst their grass a simple wreath to indicate that genius sleeps below. Whilst there are cynics who may stigmatize this conduct as an unwarrantable intrusion, there are, no doubt, many friends to literature and justice who will regard it as a generous and a sacred task."

The critic omits Mr. Fitzpatrick's respectful allusions to Sir Walter, and denounces him as seeking to place "a gibbet" on the great man's grave. We shall see whether Mr. Fitzpatrick's tone is friendly or malevolent towards Sir Walter Scott. "Sir Walter," he writes, "had the satisfaction of witnessing debts vanishing before him with every stroke of his magic pen. In 1828 he projected, and begun, the magnum opus, an illustrated reprint of the tales—which he calculated would sweep all remaining debts, like a whirlwind, before him. Writing to his son in the autumn of 1829, he says: 'The sale of the Novels is pro-digious. If it last but a few years, it will clear my feet of old incumbrances.' Similar remarks may abundantly be found. Assuming that Sir Walter was not the unassisted author of the Waverley Novels, who, so far from blaming him, can hesitate to applaud the course he pursued? Would Sir Walter's creditors have fared one half as well as they did, had indiscreet disclosures checked the public sale of the *Magnum Opus*."

"Those who live in glasshouses should not throw stones" is an old and trite saying. The critic, however, appears to be insensible to its truth. He vilifies Mr. Fitzpatrick for omitting, or as he says, "*suppressing*" passages in Scott's Life and Letters which would tend to support his (the critic's) side of the controversy. Of course Mr. Fitzpatrick's effort throughout was to condense as far as possible; and he merely quoted sufficient to illustrate his statements. Scott's voluminous life and letters are before the world circulating more widely than, perhaps, any other book of modern date. Mr. Fitzpatrick tells us that to bring his hitherto unpublished materials within a reasonable compass, required much economical management. Is it not must unfair to expect that *his* little pamphlet should include those passages, and letters, which the champions on the other side chiefly rely on to sap the strength of Mr. Fitzpatrick's position? Many letters, he tells us, calculated to

support his own views, he kept back unwilling to swell his *brochure*. But hear what Mr. Fitzpatrick himself has to say in reply to this charge. In his second letter to me, the following occurs: "Some of those passages and letters which Mr. ——— so harshly charges me with suppressing, I can sincerely aver, *I never saw!* For instance he roughly seizes on an incidental remark of mine, which declared that I could not remember any passage in Scott's writings which admitted having received from Thomas Scott even materials for the novels. Mr. ——— asserts, what I had *not* been aware of, that Sir Walter in the last introduction to '*Peveril*,' absolutely admits that his brother participated in its construction. Had I been acquainted with this important admission, I should not have failed to embody it. It is a remarkable circumstance, and an agreeable reflection, that one of the novels, in which, on internal circumstantial evidence, I traced Mr. and Mrs. Scott was this identical tale of *Peveril of the Peak*. This sophister is either the most short-sighted, or the most inconsistent person in existence. The very act of which he accuses Mr. Fitzpatrick, in a minor and most excusable degree, he performs himself in the most aggravated manner, and with the most unblushing coolness."

Dr. Grattan dwells at some length on the reviewer's want of candour, and proceeds to cite the following among other examples of critical cunning, and unfairness.

At page 508 of the *University* this passage occurs:—"Sir W. Scott, says Mr. Fitzpatrick, loved his accomplished sister-in-law warmly: a true friendship existed between them. They regularly corresponded. What proof has Mr. Fitzpatrick given of the existence of this *regular correspondence*? *Absolutely none!*" I have referred to Mr. Fitzpatrick's work. The statements quoted above as *his*, are *not* his, but occur in the evidence furnished by the doctor of the regiment. On looking a little closer what do I find? Shame hide your diminished head."! It absolutely appears, in the very identical page of evidence from which the critic picked the above passage, that the doctor was himself "*an eye witness*" of the uninterrupted correspondence existing between the Scott's. Moreover we find that "he has even seen large packages interchanging which may have contained manuscript, and that the novels almost damp from the press regularly arrived."

The ill natured scribe proceeds, with an hypocritical affectation of forbearance, as follows:—"But the most disagreeable portion of our task remains to be discharged." He then vilifies Mr. Fitzpatrick *de novo*, for not giving proof of the existence of a correspondence between Sir Walter and his sister-in-law before complaining, in common with the lady's relatives, that it should have been omitted by Mr. Lockhart. Mr. Fitzpatrick remarked that in none of Sir Walter's published letters to his brother in Canada, does there appear the slightest allusion to any of those splendid works, which at that period formed the theme of universal praise and wonder. This is hardly natural. Mr. Fitzpatrick remarked that the letters to Thomas, as published by Lockhart, did not seem to be given in their fullness or entirety; and that several contain stars, or asterisks. The so-

phist declares that only one solitary letter contains asterisks, and with affected indignation appeals to the "feelings of every gentleman and man of honour"!!! Shame hide your diminished head again. I have turned to my edition of Lockhart in one volume. At page 161 there is a letter to Thomas Scott, in which paragraphs are avowedly omitted by Mr. Lockhart. At page 189 there is a plentiful sprinkling of asterisks in a letter to Thomas; and at page 190 another similarly sprinkled. At page 247, Mr. Lockhart merely gives what he calls "a scrap" of a letter to Thomas. At page 302 is the celebrated letter, telling Thomas to send him a MS. novel with Canadian sketchwork in it. It concludes abruptly, and has no date or signature. At page 331 we find another letter perforated with stars. There is no letter to Thomas after 1820. By the by what has become of Sir Walter's correspondence with Thomas about "Peveril of the Peak"?

Dr. Grattan once more returns to his charge of suppression against Mr. Fitzpatrick's critic. It appears that this writer, at the beginning of his analysis, professed to quote Sir Walter's letter to his brother in 1814; and by means of overlooking an important context, endeavoured to make it tell against Mr. Fitzpatrick's argument. Of this we have no personal knowledge; but it would appear that the ample details in which the request is couched to send a MS. novel for "cobbling" (see page, *ante* 485) are omitted, as also the honorable proposal to Thomas Scot to diminish his debts by mental exertion. The ambiguous conclusion of the letter is given; but the last significant line — "my compliments to the hero who is afraid of Jeffrey's scalping knife," is suppressed. Dr. Grattan follows up his advantage.

"We must require Mr. Fitzpatrick to admit," proceeds our sophister, "*that Thomas Scott was overwhelmed with the drudgery of a paymastership of a regiment.*" Short sighted critic! It appears both from Colonel Kelsall's and Lieut. Mahon's evidence that while the earlier Waverley Novels were in course of publication, a deputy discharged the duties of that office.

But the critic's inferences are as correct, as his facts are solid. Waverley, it seems, is of too masculine a tone and scope for even a lady to have participated in it. The little Dublin critic will be surprised to hear that the great Edinburgh reviewer, Sydney Smith (as appears from "letter 109" to Jeffrey), was inclined to attribute "*Waverley altogether*" to a female pen.

Comment would ruin the following! "If Mr. Fitzpatrick had selected Lord Kennedder, if he had selected William Laidlaw, or John Ballantyne, or the Ettrick Shepherd, there might have been some plausibility, some *prima facie* evidence in support of his views. In the case of Mr. and Mrs. T. Scott *there is absolutely none!*"

The sophist's drift, throughout his 26 columns of hostility, is to endeavour by means of garbling and distortion, to convey the im-

pression that a more insignificant and contemptible attempt at an argument could not exist than Mr. Fitzpatrick's. But if so, why has he toiled with such unrelenting animus and perseverance to deaden its strength?

After denouncing Mr. Fitzpatrick's inquiry in most unmeasured, and unjustifiable terms as tending to disparage Sir Walter Scott's intellectual power, the reader is surprised to find this jealous, and self-constituted protector of the great man's fame, suddenly conclude his assault on Mr. Fitzpatrick, with some flippant and wholly irrelevant criticisms on Sir Walter Scott. The cynic Coleridge's depreciating remark, that the Waverley novels always failed to give him a new idea, is quoted with approbation. It is proverbial that Sir Walter was never so much at home, both in prose and poetry, as when Demonology or supernatural agencies formed his theme. From the goblin shapes of the "*Lay of the Last Minstrel*," to the elfin dwarf of "*Alice Brand*," from the ghostly horrors of the "*Monastery*," to the "terrors of Woodstock,"—in all depictions based on the supernatural, Sir Walter stands alone and unrivalled for their startling yet fascinating effect. The reading world are therefore surprised and indignant to hear, what is quite new to them, that "*Sir Walter failed miserably when he aimed to depict the ideal world*"—that "*his goblin page is a mere abortion, his White Lady of Avenel, the shadow of a shade*." And again, "compare these with the Puck, the Ariel, and the Oberon of Shakespeare, and the inferiority of Scott is at once apparent!" But there is another sneer reserved for Sir Walter. "*Of the creative imagination of Shakespeare and Milton he had little—of the idealizing imagination of Shelley or Wordsworth, still less*"! Here again, I have occasion to remark how pitifully short-sighted is this sapient (?) critic not to observe, that in admitting Sir Walter wanted "creative imagination," he turns the sneer aimed at Scott against his own laboured attempt to disprove Mr. Fitzpatrick's case, namely, that materials of plot and design, and outlines of character were furnished to Sir Walter, by persons, in every way qualified for the purpose, and that beneath his magic touch, and Shakespearean breadth of judgment, they expanded into strength, and exquisite beauty of colouring. Had Mr. Fitzpatrick's *brochure* been disfigured with any of this critic's flippant strictures on the intellectual power of a man, "the latchet of whose shoe he is unworthy to loose," it would indeed have deserved a castigation, but as Mr. Fitzpatrick's tone has been uniformly respectful and kindly whenever Sir Walter, or his works are adverted to, he far from merits the harsh epithets or reproaches in which his critic indulges. In fact, Mr. Fitzpatrick has occasionally gone out of his way, to strew panegyrics on Scott's tomb, and bestow a generous interpretation upon acts hitherto misconstrued.

At the close of one of the most hostile, and prolix reviews in the annals of criticism, the writer once more turns the laugh against himself by admitting Sir Walter probably *did* receive materials from the very parties whom Mr. Fitzpatrick points to. The critic's elaborate yarn has been therefore worse than a waste of words morally. Whether it has been a waste of words in a pecuniary

sense is another question. An advertisement has recently appeared from the proprietors of the *University Magazine*, announcing their design to treat fluent contributors with liberality. Indeed some such inducement would seem to have led our critic to spin out his lucubration to the utmost limit. Matters utterly irrelevant are freely introduced. Two memoirs for instance, of Bacon and Cicero containing old facts, but not badly written, are embodied in the text. Their personal adventures, and achievements, and the progressive, political, and literary careers of both are sketched with a fluent pen. After such irrelevancies as these, and in the face of the sundry glaring tricks and dodges, which we have exposed, the following concluding hit on the part of the critic sounds amusing. "If we were to expose," he writes, "all the misstatements and gratuitous suppositions into which Mr. Fitzpatrick has been betrayed, we should swell this article beyond all reasonable bounds"!

This extraordinary lucubration has not even the merit of originality. The very first three lines of his criticism may be found word for word in *Notes and Queries* of April, 1856. Not only the sense, but the language of other points may be seen in the *Athenæum* of January 5th, 1856; and *Blackwood* and the *Leader* have likewise been laid under contribution.

Having given both Mr. Fitzpatrick and Dr. Grattan a full and a fair hearing, in justice to the sincerity of the former's labour, and as a courteous recognition of the good-natured task of the latter, we may be permitted to observe in conclusion, that the violent hostility referred to, might well have been left unnoticed, inasmuch as the best attestation to the importance of a theory is when abuse, and laboured attempts to controvert its points, are lavished upon it. Sportsmen never waste powder and shot, except when the game is more than worth the ammunition.

Since writing the foregoing, we have observed a manifesto in the *Times* bearing on this question; and a reply from Mr. Fitzpatrick. As the controversy possesses a good deal of interest for literary persons, we print it in an Appendix.

ART. VIII.—RECENT AFRICAN EXPLORATIONS.

1. *First Footsteps in East Africa, or an Exploration of Harar.* By R. F. Burton, Captain, Bombay Army, London : Longman and Co., 1857.
2. *Lake Ngami, or Explorations and Discoveries in South Western Africa.* By C. J. Anderson. London : Hurst and Blackett, 1857.

Various are the motives which induce men to leave their firesides and the comforts of civilized life, and to wander forth among the barbarous tribes of unexplored regions. In some the interests of religion are paramount, in others a love of adventure and search after novelty are the sources of action ; a third class is impelled by a desire to extend the investigations of science, geographical, geological, botanical, or zoological ; and a fourth, to open up new paths for commerce, and establish marts for the produce of skilled labour. The first and the last categories of travellers may be said to be the most useful, as tending most to model the rough elements of savage life, and to spread the blessings of civilization over the surface of the globe ; but the second and the third possess, undoubtedly, the greatest charms ; whether for the actual undertakers of the expedition, or for those who afterwards read an account of their toils and dangers. No pleasure in this life can be obtained without a comparative amount of labour, and very often the delight of success is in direct proportion with the amount of difficulty overcome. Thus, persons accustomed to excursions among the most perilous passes of the Alps, estimate the enjoyment received from their rambles, by the hazardous nature of the path, or precipice, or glacier, which they have been obliged to traverse, and the thrill of joy, on surmounting the peak of some ice-clad summit, is rendered more intense by the awful apprehension of a sudden descent down the face of the steep, which has just been scaled. The pursuit of pleasure, under such circumstances, possesses a peculiar fascination, which lures on the fool-hardy wanderer, often to his own destruction ; by degrees he begins to despise the dangers which, at first, appalled him, and he finally falls a victim to want of caution and to temerity.

It is very strange, however, that to the explorers of unknown regions of the earth, the greatest difficulties to be overcome, and the most imminent perils to be avoided, do not arise either from the climate, or from the physical nature of the country to be traversed, or the wild beasts lurking in its forests; but are principally due to the hostile character of the inhabitants—their fellow men. The predatory habits of many tribes, such as the Bedoueen and Arabs proper, in North and East Africa, and part of Arabia, and the Turcomen and Kourds, in Central Asia, throw almost insurmountable obstacles in the way of persons seeking to penetrate into the interior of these continents, or necessitate such a scale of expense in the expeditions undertaken, as to put them beyond the reach of ordinary travellers. On the other hand, fanaticism, precluding access to particular shrines or sacred places, or beyond certain lines of country, to men of a religion different from that of the in-dwellers, opposes often a still more obstinate barrier to the communication between different races of people, or to any search into the peculiarities of the tracts they inhabit. The exclusive bigotry of the Tartars and ^{task of} will, for a long time, prevent Europeans from gaining any accurate acquaintance with the centre of Asia, while the truculent intolerance of Mahommedanism shut them out from a large tract on the coasts of the Red Sea and the east of Africa. A third cause, founded very much on sound reason and deductions from experience, operates to a great extent in denying them free entry into China, Japan, Madagascar, and some of the western portions of Africa; this is the well-known rapacity of conquest of the Europeans, and the tenacity with which they possess themselves of the soil, on which they have once set their feet, or planted their flag. No wonder that the eastern nations should be jealous of the intrusion of the English, when they see province after province, and kingdom after kingdom, swallowed up within the boundaries of the ever extending Indian Empire. It is very much to be wondered at, how the Turkish government could be so foolish and regardless of consequences, as to give possession of Aden to the British power, and allow it to gain a footing, from which, at no distant period, it will extend its rapacious arms. We blame the Chinese for not allowing free intercourse with their

people and through their country, and hindering the extension of commerce to the internal parts of their empire. With the example of the English settlement of Bengal before their eyes, it appears to us that they are only following a very salutary and necessary rule for preserving their dominions intact. The present war is but a pretext to open up that country to the British trader, and hereafter, most probably, to the British soldier; if the interests of other European or American nations do not interpose to protect the Celestials from profanation.

Attempts have been made to penetrate the secrets of the African continent from six or seven principal points upon its coasts. Denham and Clapperton and their followers made their way through Tunis or Algiers, and by the caravans over the Sahara desert. The Nile has been a highroad ever since the time of Maillet and Poncet, the servants of Louis the Fourteenth of France. Bruce, Buckhardt, and Salt entered by Masouah and the coasts of the Red Sea; and Harris, more recently, by Zayla, near its mouth. The Western districts have been explored by Park and his successors along the Sengal and Gambia and the coast of Guinea, up the Quorra, by Lander, and a host of others. The expeditions from the Cape of Good Hope and its neighbouring seaboard have been very frequent, but not attended with any great success, on account of the extremely barbarous nature of the aborigines and the difficulty of travel. Two districts especially have remained up to this time almost wholly unknown and untrodden by Europeans—the first extending south of Abyssinia down to Zanguebar; and the other stretching across from the Loando river on the West, to the mouth of the Zambese, on the East. The former is peculiarly inaccessible, from two of the impediments above alluded to—the lawless, plundering character of the people, and their truculent bigotry towards Christians; while the difficulties presented in the second district are very nearly reduced to the physical obstacles of climate and distance to be travelled.

The chief feature of the first of these portions of the African continent is the existence, at the distance of about two hundred miles from the sea coast, of a large capital city, about whose wealth and size fabulous accounts had been hitherto spread over the greater part of the East. The many travellers who visited Abyssinia brought back from thence

strange stories of a Moslem town, sacred and unapproachable as those of Medina and Meccah, whose rulers had been the scourge of the country around them for a series of ages. Their incursions into the province of Gondar had often nearly extirpated all signs of the Christian religion from the face of the land. The ruins of Axum attested the ruthless barbarity and savage bigotry of the invader, and his determined hatred of civilization. The superstitious dread with which the surrounding tribes regarded the power of the Emir of Harrar prevented any intercourse with other people except through the medium of slave Kafilas, driven to the coast, to be exchanged for the produce of Arabia, or a precarious commerce in gums, peltries, and cotton. Of late years, however, it had become well known that the ancient power and lawless character of this robber's stronghold had dwindled down to a shadow—the mere name of what it formerly had been, and various attempts were made by officers in the East India service to penetrate its mystery. All these were frustrated, either by a want of tact in the parties employed, or the hostility of native tribes to the presence of Europeans.

Captain Burton was not on that account easily discouraged, but, on the contrary, incited to make a further trial at exploration. He had laid bare the Adyta of the forbidden shrines in the sacred cities of Yemen, thanks to his successful adoption of the Eastern dress, manners, language, and, it would appear, religion. He had braved the Moslem in his "high places," where the slightest suspicion of his being a Frank would have aroused the rage of the entire population, and caused him to be torn limb from limb, and earned for himself deservedly the title of Hadji—that is, one who has accomplished the pilgrimage to the tomb of the Prophet. His determination, coolness, research, and endurance of numberless toils and dangers, cannot be too highly praised, were it not for one lamentable circumstance, that he seems to have abandoned altogether his native religion, and adopted the Mahomedan. Not only did he repeat dozens of times in the day the Moslem-making formula, "There is no God but Allah, and Mahomet is his prophet," in itself a renunciation of his own creed, but he performed, at the different stated times and places, the various ablutions, prayers, and prostrations prescribed by the Muftis, and constituting the complete practice of Islamism. Such

a dereliction cannot be too highly condemned, no matter for what purpose it was submitted to. Napoleon Bonaparte was justly censured for a similar act during his occupation of Egypt.

The experience thus gained by Captain Burton fitted him admirably for the undertaking of an excursion to Harrar, and he determined to make the attempt. He took up his abode for some time at Aden, near the mouth of the Red Sea, where he could make all his preparations, and gain information preparatory to starting. On account of his thorough knowledge of the Arabic, Persian, and Turkish languages, he was enabled to assume the garb of a Turkish merchant, under which character he hoped to elude the jealousy of the natives. Three servants were also engaged—El Hammal, a robust youth, who had once served as porter in coaling the Eastern steamships; Abdy Abokr (alias the End of Time), a cunning old Arab, somewhat acquainted with the manners of the African tribes; and the third called Guled, a supernumerary. With these and a large cargo of necessaries for the land journey, consisting of provisions, firearms, ammunition, and presents for chiefs, our traveller set sail from Aden on the 29th day of October, 1854.

They shaped their course for Zayla, a small walled town, immediately on the sea coast, at the end of a bay bearing the same name, somewhat to the south of the entrance to the Red Sea. This is the port from which the later expeditions to Abyssinia have been made by Harris and others. It is of very little importance as a harbour for merchant vessels, which cannot approach within a mile of the shore, on account of the shallowness of the water, and is not to be compared in point of utility to Berberah, another town, some sixty miles to the south, which Captain Burton visited on his return. Zayla is subject to the Sherif of Mocha, and was ruled by the Hajj Sharmarkey, rather of good character for a Mahomedan chief, who had been rewarded at Mocha for saving the lives of some English seamen, and was, therefore, a friend to the race. He was comparatively rich, from the imposts placed upon merchandise coming through the town; sixty years old; six feet two inches in height; famed for his sword-cut in battle, and wielding four spears; one-eyed, and wearing a silver-hilted sabre. He meditated the conquest even of Harar and Berberah. This man, owing his elevation to English influence

from Bombay, shewed considerable attention to Lieutenant Burton, and had him decently lodged in the town.

During a stay of twenty-six days, our traveller was engaged negotiating and endeavouring to gain information respecting the route to Harrar. His time was spent very much in the reception of visitors, who came and went as they liked, and when they liked, in and out of his quarters. The Hajj's son, Mahomet, a tall youth, already possessing ten wives, and reckoned a learned man, having been instructed at Mocha, was the principal of these. The day was passed thus : breakfast at six a.m., on sour grain cakes and roast mutton ; then coffee, and the pipe, and a sleep. Next came visitors until the hour when the water was brought from the wells (about eleven o'clock), and the Haji sent dinner, consisting of greasy mutton, rice, and curds. Then visitors again until sundown, when the population all swarmed out to enjoy the evening air, and play at Shantarrah draughts at a wattle-work mosque near the sea.

The Somaui, who are the chief race inhabiting the town, are something between the Arab and Hottentot, placing most reliance on strength of body, and using the spear or assegai, dagger, and club on every occasion. They carry also a gashan or shield, the lower class a bow and poisoned arrows, and look upon firearms as dishonourable weapons, by which advantage may be taken of the bravest. They have several games, dances, and play at ball ; are exceedingly irreverent and blasphemous in their speech, and believe in the power of metamorphosis, or changing into some of the lower animals. A Bedouin was pointed out, who was said to have assumed the shape of a hyena, in order to have an opportunity of tasting human blood. They are half-castes, deriving their name from an original chief, Somal, who had thrust out (samala) his brother's eye, and thus obtained the superiority in his tribe. The Bedouins of the neighbouring deserts are scarcely allowed within the gates, but form encampments outside, and lie in wait for any unwary passenger who may fall into their hands. Murders are frequent at Zayla. The death-feud and price of blood are laws there, as among all other Arab races.

The history of Zayla is interesting in connection with the vicissitudes of nations in the East. The Turks took pos-

session of it in 1500, and established a custom-house there. The Portuguese seized and burned it in 1516. Then it passed under the yoke of the Sherifs of Mocha, and was farmed out by them to successive chiefs, who paid over a certain sum for revenue, and pocketed the balance. The public edifices of the town are six mosques, including the Jami, or cathedral; and the rest of the buildings, with the exception of some dozen stone-built white-washed houses, are about two hundred thatched huts, all containing a population of some three or four thousand souls. The exports are considerable, consisting of slaves, rice, honey, holcus, wheat, peltries, gums, ghee, &c. Some coffee is brought from Harrar and the highlands of Abyssinia, nearly equal to the Mocha in flavour, and would constitute, with cotton and gums, the objects of trade most worthy of the attention of Europeans.

Captain Burton having made the necessary preparations for his journey inland, having purchased mules, and laid in a stock of provisions, demanded a safe conduct or guard from the Hajj Sharinarkey through the adjacent country. The latter did everything he could to oppose the traveller's departure, exaggerated the dangers of the way, and, finally, extracted considerable value in dues and presents. Intelligence was also received, that two galla tribes on the direct road to Harrar, had contracted a blood feud, and were scouring the country, massacring and burning all the villages and kraals, so much so that a long detour by the sea-coast, and across an unfrequented road, was resolved on. Additional attendants with camels, and two Eesa women to tend the beasts, were engaged. The labours and endurance of these last, in comparison with the idle laziness of the men, is very well described. They not only led and tended the beasts, walking on foot during the entire day, but when the camping-place was reached, they pitched the tents, took off the loads, made fires, cooked victuals, and were the last to lay themselves under their skins to sleep. These ladies had a strange method of relieving themselves from the fatigues of the day. One lay on the ground on her face, while the other walked over her, and treaded all her limbs with the feet, a practice producing somewhat similar effects to those of shampooing. As it is the fashion in the east to have a soubriquet, or nickname for every one, the women were at

once named Sheherazade and Denerazade, from the "Arabian Nights," and were a constant source of entertainment on the journey. The whole expense of the equipment amounted to about £149, not a very considerable sum, considering that everything required during three or four months should be carried along.

The road along the sea coast for three or four days, and afterwards inland during four or five more, lay through plains, inhabited by the Eesa Gala, generally a quiet people, unless when engaged in a blood feud, or threatened with a raid from their neighbours. They live in kraals, after the fashion of the Hottentots, are rich in herds, grow the holcus-wheat and cotton, gather gums, and trade in hides and peltries. Some of their manners are very peculiar, such as their purgations, the accused being obliged to drag a red-hot anvil out of the fire; the prices at which their maidens are bought and sold in marriage, and their superstitions similar to those of the Somauli before mentioned. An Eesa girl will bargain for her own price with her future lord, as one did with Burton, who simulated a love suit. She demanded twice the usual number of tobes, a quantity of tobacco and coffee, necklaces for herself, and a money present for her father, and seemed somewhat disconcerted when the affair was broken off. Kissing is unknown among this tribe, and when a couple are married, the first thing the husband treats his wife to, is a sound beating with a whip, to render her obedient, and then they are shut up together in a hut for a great number of days, it being considered a degradation to visit or see them. This people will not eat either fish, or fowl, or vegetables; they live wholly on meat, rice, and holcus grain. They have only a small idea of the effect of firearms, which they at first derided, but Lieutenant Burton gained complete renown, which preceded him to Harrar, by bringing down a bird flying, with a fowling-piece.

Crossing the Gaban plain on his journey inland, our traveller came upon many fiumaras, or watercourses, hollowed out in the soil by the course of the streams. The borders of these were the most fertile portions of the land, and frequently by the Eesa shepherds and husbandmen presented a paradisaical appearance, compared to the other parts of the arid tract. Traces were, however, apparent of the incursions of a savage tribe, the Habr Awal, who lived more to

the south, and a trail of two hundred horsemen, no doubt on a raid, was seen to have crossed the road only the day before the little caravan passed. The Ghauts, or range of mountains running parallel to the sea coast, being now reached, the party began to ascend their ravines, and soon found themselves in a different climate, and among a less savage people, the Gudabirsi. These, protected by the mountainous nature of their country, are able to live in greater tranquillity among themselves, and with less fear of their neighbours. The consequence is, that their kraals are more comfortable, and the cultivation of the soil more attended to amongst them. The jujube and cactus flourish here, and the kat tree forms a very valuable article of commerce. It is somewhat of the nature of tea, ranks above coffee with the natives, by whom it is chewed as a great luxury, and might be imported to Europe with great benefit. The celebrated waba poison tree is also found here; the white ant builds here his extraordinary edifices of clay, and the fat jay is an object of reverence.

The people of these countries have a great desire for learning news, and enquire for it eagerly from the traveller. They propagate it very fast from mouth to mouth, as an instance of which, Captain Burton states his having heard at Harrar of a storm which occurred at Bombay, and destroyed a large number of shipping, only three weeks after it occurred. The incidents of the Russian war were freely discussed, and well understood by every one, as he passed along his route.

The highest point of the road over these Ghauts was marked by the Malimahlah, or holy tree, at a height of about 3,350 feet, as indicated by the thermometer. From this the new chiefs of the tribes ride forth to assume their dominion, and often dictate justice under its branches. Not far off are the ruins of a fort, formerly erected by a galla queen, Kola, who had attempted a settlement there, but the jealous ruler of Harrar destroyed the enceinte and its defenders. From this spot our traveller gained a splendid view of the country he was about to traverse, a long valley, called the Harawwah, stretching far among the hills, and on the horizon, the Marar prairie, the immediate forerunner of the environs of the forbidden city. Already he felt himself within its precincts. Captain Burton's own words here will give a good idea of his style.

Late in the morning of Saturday the 9th December. I set out, accompanied by Rirash and the End of Time, to visit some ruins a little way distant from the direct road. After an hour's ride we turned up the Abasso Fiumara, and entered a basin in the hills about sixteen miles distant from the Holy tree. This is the site of Darbiyah Kola—Kola's Fort—so called from its Galla queen. It is said that this city and its neighbour Aububah fought like certain cats in Kilkenny, till both were "eaten up;" the Gubabirsi fix the event at the period when their forefathers still inhabited Bulhar on the coast—about 300 years ago. If the date be correct, the substantial ruins have fought a stern fight with time. Remnants of houses cumber the soil, and the carefully built wells are filled with rubbish: the Palace was pointed out to me, with its walls of stone and clay intersected with layers of wood work. The mosque is a large roofless building containing twelve square pillars of rude masonry, and the migrab, or prayer niche, is denoted by a circular arch of tolerable construction. But the voice of the muezzin is hushed for ever and creepers now twine around the ruined fane. The scene was still and dreary as the grave, for a mile and a half all was ruins—ruins.

Leaving this dead city, we rode towards the South West between two rugged hills of which the loftiest summit is called Wanauli. As usual they are rich in thorns; the tall "Wadi" affords a gum useful to cloth dyers, and the leaves of the lofty wumba are considered, after the Daum palm, the best material for mats. On the ground appeared the blue flowers of the "man" or "Himbah," a shrub resembling a potatoe; it bears a gay yellow apple full of brown seeds, which is not eaten by the Somal. My companions made me taste some of the Karir berries, which in colour and flavour resemble red currants: the leaves are used as a dressing to ulcers. Topping the ridge we stood for a few minutes to observe the view before us. Beneath our feet lay a long grassy plain—the sight must have gladdened the hearts of our starving mules!—and for the first time in Africa horses appeared grazing free among the bushes. A little farther off lay the Aylanda valley studded with graves, and dark with verdure. Beyond it stretched the Wady Harawwah, a long gloomy hollow in the general level. The background was a bold sweep of blue hill, the second gradient of the Harar line, and on its summit closing the western horizon, lay a golden streak—the Marar prairie. Already I felt at the end of my journey.

Descending now from the higher ground, the party began to enter the Harawwah valley. The kraals here were well defended from lions, who did not happen, however, to be very numerous or daring, by high thickets and hedges of thorns, which protected the beasts and their masters. The ruins of Audubah were also visited, somewhat similar to these of Kola, and denoting a former somewhat greater civilization among the tribes. Captain Burton, who had become very debilitated from bad food, hard exercise, and the climate, here suffered himself to be cauterized over the stomach with a charred piece of wood by the "End of Time." He does not say what was the effect, but the operator justified it by reciting the tradition, "the end of

physic is fire." The horse and traces of the elephant now appeared, though all attempts to meet the latter animal failed.

After passing through the country of the Gudabirsi, the Marar prairie was entered, where the Eesa, Berteri, and Habr Awal tribes meet to rob and plunder unwary travellers. It is about twenty-seven miles wide, covered with black earth, and in some places tall waving sunburnt grass. Here a lion appeared, and was repelled by the rifle, to the great astonishment and satisfaction of the natives. This country is within the jurisdiction of the Gerad (Counsellor) Adan, a dependant of Harrar, whose son, Sherwa, showed every attention to Captain Burton. Some parts of the land was reduced by the inhabitants to a very high state of cultivation; the fields laid out in terraces, and protected by hedges, appeared to equal in richness some of the most fertile portions of England. The daisy, thistle, sweetbriar, and other plants, which recalled his island home, struck forcibly on the feeling of the travellers. The harvest was being gathered in, and the people enjoyed themselves fully as much as the peasant of England does on that occasion. The huts of the natives assume here the shape of a bell, similar to those of the Hottentots in more southern Africa. A rude sort of hospitality was shown at the Gerad Adan's village of Wilenai, by the Geradha herself in person. Captain Burton determined on leaving his heavy baggage, camels, etc., and using only his mules for the remaining portion of the journey. A short distance further on he was met by the Gerad Adan himself, and a portion of his tribe, the Girhi, who endeavoured to exaggerate the dangers of the way, but could not dissuade him from advancing. At a pass in the Kondura mountain, a crowd of Galla spearmen endeavoured to intercept his passage, and to levy toll from his baggage, but he succeeded in getting through them unscathed, and reached at length the environs of Harrar. Here is a large plain, studded with villages of the Midgan tribe; gardens of limes, plantains, and pomegranites line the ways; women appear on the roadside selling ghee, cotton, and other wares, and the brown terraced walls and houses of the town, with its scanty minarets, are seen at length in the distance. A stream, the Jalah, or coffee-water, intercepts the road, which, cut deep in the side of the hill, winds up towards a rude gate, and crenelated wall.

Entering the gate, and ascending a narrow lane-street, he is brought inside the gate, composed of holens' stalks, belonging to the palace, and is placed with his suit, ignominiously in the corner of a court-yard, in company with a number of Somal. Resenting this he demands an audience; is led to a doorway, made to take off his slippers, and is ushered into a narrow room, in the presence of the Amir, the following description of whom may be interesting:—

The Amir, or as he styles himself, the Sultan Ahmad bin Sultan Abibaker, sat in a dark room with whitewashed walls, to which hung—significant decorations—rusty matchlocks and polished fetters. His appearance was that of a little Indian Rajah, an etiolated youth twenty-four or twenty-five years old, plain and thin bearded, with a yellow complexion, wrinkled brows and protruding eyes. His dress was a flowing robe of crimson cloth, edged with snowy fur, and a narrow white turban tightly twisted round a tall conical cap of red velvet, like the old Turkish headgear of our painters. His throne was a common Indian Kurai or raised cot about five feet long, with back and sides supported by a dwarf railing: being an invalid he rested his elbow upon a pillow, under which appeared the hilt of a cutch Sabre. Ranged in double line, perpendicular to the Amir, stood the "court," his cousins and nearest relations, with right arms bared after fashion of Abyssinia.

I entered the room with a loud "Peace be upon ye!" to which his H. H. replying graciously, and extending a hand bony and yellow as a kite's claw, snapped his thumb and middle finger. Two chamberlains stepping forward held my forearms, and assisted me to bend low over the fingers, which, however, I did not kiss, being naturally averse to performing that operation upon any but a woman's hand. My two servants then took their turn; in this case, after the back was saluted the palm was presented for a repetition. These preliminaries concluded, we were led to and seated upon a mat in front of the Amir, who directed towards us a frowning brow and an inquisitive eye.

Captain Burton presented a letter, written by himself, and purporting to come from the British representative at Aden, and explained its import. The Amir smiled, and the audience was over. He was next referred to the Wasir Gerad Mohammed, an old man, who complained of chronic bronchitis, and who was won over, after a few interviews, by a promise of medicine to be sent from Berberah, on the sea-coast. The traveller had two or three more audiences with the Amir during his stay of ten days at Harrar, when the court and grandees chiefly occupied themselves chewing kat, or, as it is there named, jat. He gives a good account of the former history of this Moslem city, which exercised for many centuries a most pernicious influence on the fortunes of Christian Abyssinia. In the commencement of the sixteenth century it was under the rule of a savage Emir, Mahommed

Gragne (the left-handed), who overran the Ethiopian empire, and slew a force of 400 Portuguese, led by two sons of the famous Vasco de Gama, Don Stephen and Don Christopher. Claudius, the Christian emperor, was sacrificed to the savage cruelty of the wife of the Amir. The story is one of turbulence, and the present weakness of the ruler a strong contrast to the former violence of his forefathers. The following is a description of Harrar town:—

The ancient capital of Hadayah, called by the citizens "Harar Gay" by the Somal "Adari," by the Gallas "Adaray," and by the Arabs and ourselves "Harrar," lies, according to my dead reckoning, 220 degrees South West of, and 175 statute miles from, Zayla—257 degrees West of, and 219 miles distant from, Berberah. This would place it in 9 degrees 20 minutes North Latitude and 42 degrees 17 minutes East Longitude. The thermometer shewed an altitude of about 5,500 feet above the level of the sea. Its site is the slope of an hill which falls gently from West to East. On the Eastern side are cultivated fields; Westwards a terraced ridge is laid out in orchards; Northwards is a detached eminence covered with tombs; and to the south, the city declines into a low valley bisected by a mountain burn. This irregular position is well sheltered from high winds, especially on the northern side, by the range of which Kondura is the lofty apex; hence, as the Persian poet sings of the heaven favoured city:—

"Its heat is not hot, nor its cold, cold."

During my short residence the air reminded me of Tuscany. On the afternoon of the 11th January there was thunder accompanied by rain frequent showers fell on the 12th, and the morning of the 13th, was clear; but as we crossed the mountains, black clouds obscured the heavens. The monsoon is heavy during one summer month; before it begins the crops are planted, and they are reaped in December and January. At other seasons the air is dry, mild and equable.

The present city of Harrar is about one mile long by half that breadth. An irregular wall, lately repaired, but ignorant of cannon, is pierced with five large gates, and supported by oval towers of artless construction. The materials of the houses and defences are rough stones, the granites and sandstones of the hills, cemented like the ancient Galla cities with clay. The only large building is the Jami or Cathedral, a long barn of poverty-stricken appearance, with broken-down gates, and two white-washed minarets of truncated conoid shape. They were built by Turkish architects from Mocha and Hodaydah; one of them lately fell, and has been replaced by an inferior effort of Harrari art. There are a few trees in the city, but it contains none of those gardens, which give to Eastern settlements that pleasant view of town and country combined. The streets are narrow lanes up hill and down dale, strewn with gigantic rubbish heaps, upon which repose packs of mangy or one-eyed dogs, and even the best are encumbered with rocks and stones.

This town is considered among the African races an Alma Mater, or place of learning, where some of the most recon-dite doctrines of the Mahommedan religion are taught. Its

population, some 8,000 in number, with a fluctuating crowd of visitors, are distinct in language and race from all the tribes about them. They are a bad, cruel, bigoted set, lax in morals, and only to be kept in check by the severe rule maintained among them by the Amir. His force of armed men is very small, compared to the fame of his predecessors, consisting of only some two hundred, forty or fifty of whom are matchlock men, and the rest carry the ordinary spear, shield, and dagger. He strikes off a very small brass coin, the mehallat, which is the only one allowed circulation within the walls. He raises his revenues from imposts and duties on trade, the exports being principally slaves, ivory, coffee, tobacco, &c., and the imports sheeting, cottons, shawls, silks, brass, &c. Three caravans leave yearly for Berberah, where large fairs are held on their arrival. The food of the inhabitants consist of beef, fowls, holcus, honey, &c., from which last article a kind of wine, called the tej, similar to that used in Abyssinia, is produced by fermentation.

After several audiences with the Amir and his Wazir, Captain Burton at length obtained leave to depart from Harrar. News, which had suddenly arrived, that two Englishmen, Lieutenants Herne and Speke, were landed at Berberah, and making inquiries concerning their companion, considerably hastened this event, otherwise it is the African custom to detain a visitor or guest, and usually to make a regular prisoner of him. The Amir also returned a revolver, which had been presented to him, either not being able to understand its use, or being dissatisfied. The traveller, therefore, thought it best to take his departure as quickly as possible, and left the town early on the morning of the 13th January. His stay had been only one of ten days, during which he collected a great deal of information concerning the produce, manners, and population of the town and neighbourhood. Retracing his steps to the village of Wilensi, where he had left his heavy baggage, under the care of his friend, the Gerad Adan, he was received there as one risen from the dead, it not being credited that he could return from Harar alive. He had some difficulty, also, in leaving this place, from the over-carefulness of his friends, but succeeded at length in sending on his caravan to Zayla, while he himself determined to adopt a new course, and ride across the

country of the Habr Awal Bedouin to the port of Berberah. He, his companions, and their mules suffered very much during this journey, from want of water or proper pasturage, being also obliged to travel as secretly as possible, on account of the truculent character of the natives. They reached, however, the Ghaut range again in safety, and were delighted by finding a Ga' angal, or fairies' well, in one of the ravines. Treading, then, the romantic "Kadar" Pass, and a huge mountain cleft called the Wady Duntu, they descended into the maritime plain and among the hostile tribes of the Ayyal Shirdon and Ayyal Ahmed. An unexpected meeting took place with a kraal of the former, who received them hostilely, refused to sell milk, and were very near coming to blows. The traveller, however, succeeded in avoiding a rencontre, and eluded the tribes by keeping along the sea coast, finally entering the quarters of the Ayyal Gedid, their protectors, in Berberah, without any injury. Here he found his comrades of the East Indian service, with whom he made several excursions in the neighbourhood.

The harbour of Berberah is much superior to that of Zayla, and ought completely to supersede the former for all purposes of traffic with the natives. A good description of it, and of some points of interest near it, is given in Captain Burton's book; but space will not allow us to go into any detail. There is one curious custom existing at the port, and to which all vessels arriving are subject—namely, the Abbanship. When a craft is seen to approach the shore, a crowd of men immediately swim off to her. The first who reaches her climbs up the side to the deck, touches the captain, and declares himself the Abban, or protector of the vessel. From thenceforth he and his tribe are responsible for the safety of the crew and cargo, and through him all trade is carried on. A certain duty on sales and purchases is paid to him for this accommodation, amounting, in many instances, to a very heavy tax.

Captain Burton left Berberah in a small East India schooner, the "Reed," to return to Aden, but, in the subsequent year, paid another visit, during the time of a large fair and arrival of caravans, in company with his friends, Lieutenants Herne, Speke, and Stroyan. It happened, however, that some of the inland tribes took a sudden offence

at their presence, and made an attack on their tents, as they lay encamped outside the town. In the melee Lieutenant Stroyan was killed, and two of the other companions severely wounded, and obliged to return to their ship. Since that occurrence a frigate has been despatched to avenge the outrage, and blockade the coast until ample reparation is given for the murder. The Somauli have, it appears, offered compensation to the extent of 15,000 dollars, and state that the murderers have been already punished by their tribes. This latter asseveration is, however, not to be at all trusted, being the usual subterfuge by which these wild men endeavour to circumvent the whites, and to shield their friends from the consequences of their crimes. A good opportunity now offers for opening up the trade of that part of the African continent, and establishing more satisfactory relations at the seaports.

From this short sketch of Captain Burton's book, it may be easily perceived that it contains a large amount of very useful information, not only to the traveller, but also to the commercial community. It is plain that it would be of considerable benefit to England—the emporium, manufacturer, and carrier of nations—to establish a mercantile intercourse with a people who are so capable of giving reciprocal advantage as the Somauli and Harrari. The exports of Harrar and its ports, Zayla and Berberah, are of first-class importance, consisting of coffee, cotton, gums, peltries, &c., and numerous other small articles of great value in the European market. The inhabitants, Somauli, Eessa, Gudabirsi, or Harrari, are evidently of a mixed Arabic and Ethiopic descent, retaining some of the erratic manners of the former, and tending towards the arts of civilised life, like the latter. They are, therefore, more peculiarly fit than almost any of the inhabitants of that continent to meet in commerce with Europeans. The Caffres and Hottentots of the south are too savage, the Negroes of the west too besotted, the Moors and Bedouins of the north too wild and untractable, to profit much by such an intercourse. Here, therefore, is the ground for English enterprise. The missionary cannot hope to extend his labours in this direction, on account of the peculiar bigotry of the Mahommedan creed, which denies absolutely an entrance to the propagators of any foreign dogma. It would be the surest method

of preventing any intercourse with Europeans, to begin by an endeavour to change the religion of the country. That would only rouse antagonism, and defeat any further attempts to open up the resources of the people.

We do not wish to say much as to the style in which the Hadji Burton's volume is written. It is generally easy and untrammelled ; sometimes rising into the eastern hyperbolic manner, which, no doubt, he has caught from his acquaintance, with the languages of that clime. Now and then, however, he shows a good deal of erudition, knowledge of Arabic manners, and quaint learning, very entertaining to such readers as can appreciate its elegance.

Let us now turn our attention to a totally different district of the African continent, namely, that visited by Mr. Andersson. He is a Swede by birth, but as he says himself, more than half English by parentage, so that his foreign extraction does not allow itself to be perceived upon his pages. He commences the narrative of his travels at a very early period, even at the first longings in his youth for the sight of foreign lands. Being introduced in England by Sir Hyde Parker to a Mr. Francis Galton, he agreed to accompany this gentleman on an expedition to explore the countries lying north of the districts of Cape Colony, and to penetrate, if possible, as far as Lake Ngami. They made their preparations, and laid in stores in England, and sailed for the Cape in the Dalhousie, an unlucky vessel, which on a subsequent voyage foundered within sight of the coast. His adventures began at the Cape by an evening walk to the top of the Table Mountain, on which he lost his way, and was in imminent danger of falling over the precipices. They set sail for Walfisch Bay, a good natural harbour on the west coast, about the 23rd deg. of south latitude ; here they made their final preparations for exploring the interior.

The mode of travelling in the neighbourhood of the Cape is very different from that pursued in the north, or in any other part of Africa. It is necessary, or usual, to provide large bullock-waggons, constructed to carry several tons of provisions, merchandize, ammunition, etc., and serve as tents to the wayfarer. A large team of bullocks is driven along at a slow rate ; if any of them fail, they may be replaced by barter from the herds of the aborigines, who are ever ready to exchange their cattle for the commodities of civilized life.

Messrs. Andersson and Gelton brought with them, in the first instance, a number of mules, who dragged the waggons to a point where an exchange could be made for oxen. This was Scheppmansdorf, a missionary station on the banks of the river Kuisip, a periodical stream, enclosed by ridges of sand, and running only in those years, when nature vouchsafes a plentiful supply of water. This place is maintained by a Mr. Bam and his wife, who toil through their vocation of christianising the heathen with enormous fortitude.

After breaking in their oxen for the journey, the travellers started through a country made tedious by wait-a-bit thorns, and destructive to animal life by a tropical sun and the total absence of pasture or water. Their road lay not far from the banks of the Swakop river, where the gnou and the gemsbock, species of half deer, half antelope, which scud over these wide African plains, afforded them ample sport and food. The lion had already appeared at Scheppmansdorf, where he swallowed a poor dog, and being killed, was found to contain the unfortunate animal, bitten into six pieces. At Richterfeldt, another missionary station, they came among a peculiar tribe, the Demaras, a fine race of men, something between the Caffres and Negroes, but extremely dirty in their persons. Mr. Andersson very narrowly escaped suffering from a sun stroke, which either produces sudden death, or a permanent disease of the brain for life. He, however, was only temporarily annoyed, and ultimately recovered completely. The manner in which the Hill-Damaras smoke tobacco, or the "dacka," or hemp-plant, is worthy the attention of the reader :

The manner in which the Hill-Damaras smoke, is widely different from Hindu, Mussulman, or Christian. Instead of simply inhaling the smoke, and then immediately letting its escape, either by the mouth or nostril, they *swallow it deliberately*. The process is too singular to be passed over without notice. A small quantity of water is put into a large horn—usually of a Koodoo—three or four feet long. A short clay pipe, filled either with tobacco or "dacka" is then introduced, and fixed vertically, into the side near the extremity of the narrow end, communicating with the interior by means of a small aperture. This being done, the party present place themselves in a circle, observing silence ; and with open mouths and eyes glistening with delight they anxiously abide their turn. The chief man has usually the honour of enjoying the first pull of the pipe. From the moment that the orifice of the horn is applied to his lips, he seems to lose all consciousness of every thing around him, and becomes entirely absorbed in the enjoyment. As little or no smoke escapes from his mouth, the effect is soon sufficiently apparent. His

features become contorted, his eyes glassy and vacant, his mouth covered with froth, his whole body convulsed, and in a few seconds he is prostrate on the ground. A little water is then thrown over the body, proceeding not unfrequently from the mouth of a friend: his hair is violently pulled, or his head unceremoniously thumped with the hand. These somewhat disagreeable applications usually have the effect of restoring him to himself in a few minutes. Cases, however, have been known, where people have died on the spot, from overcharging their stomachs with the poisonous fumes.

The Damaras use spears or assegais, and arrows tipped with the milk-white gummy juice of the poisonous cactus, known under the scientific name of *euphorbia candelabrum*. The rhinoceros is common enough in the pools of the Swakop, or its tributaries; and the giraffe now and then met on the neighbouring plains.

Barmen, a third missionary station of the German-Rhenish Society, on the banks of the Swakop, was under the care of a Mr. Hahn, who endeavoured to provide himself in that lonely situation with many of the comforts of civilised life. A deep well in his garden supplied them with a great rarity, good drinking water; and a warm spring near, of a heat equal to 157 deg. Fahrenheit, was used as a most refreshing bath. Mr. Andersson here met with an adventure in lion-hunting, which it may be useful to give in his own words:—

As the day, however, was now fast drawing to a close, I determined to make one other effort to destroy the lion, and should that prove unsuccessful to give up the chase. Accordingly, accompanied by only a single native, I again entered the brake in question, which I examined for some time without seeing anything; but on arriving at that part of the cover we had first searched, and when in a spot comparatively free from bushes, up suddenly sprung the beast within a few paces of me. It was a blackmaned lion, and one of the largest I ever remember to have encountered in Africa. But his movements were so rapid, so silent and smooth withal, that it was not until he had partially entered the thick cover, (at which time he might have been about thirty paces distant), that I could fire. On receiving the ball, he wheeled short about, and with a terrific roar bounded towards me. When within a few paces, he couched as if about to spring, having his head embedded, so to say, between his forepaws.

Drawing a large hunting knife and slipping it over the wrist of my right hand, I dropped on one knee, and thus prepared, awaited his onset. It was an awful moment of suspense, and my situation was critical in the extreme. Still my presence of mind never for a moment forsook me, indeed I felt that nothing but the most perfect coolness and absolute self-command, would be of any avail. I would now have become the assailant; but as—owing to the intervening bushes, and clouds of dust raised by the lion's lashing his tail against the ground—I was unable to see his head, while to aim at any other part would have been madness, I refrained from firing. Whilst intently watching his every motion, he

suddenly bounded towards me; but whether it was owing to his not perceiving me, partially concealed as I was in the long grass—or to my instinctively throwing my body on one side—or to his miscalculating the distance—in making his last spring he went clear over me, and alighted on the ground three or four paces beyond. Instantly and without rising, I wheeled round on my knee, and discharged my second barrel; and as his broadside was then towards me, lodged a ball in his shoulder, which it completely smashed. On receiving my second fire he made another and more determined rush at me; but owing to his disabled state I happily avoided him. It was only however by a hair's breadth, for he passed me within arm's length. He afterwards scrambled into the thick cover beyond, where, as night was then approaching, I did not deem it prudent to pursue him."

A third missionary station on the little Swakop river, named Schmelen's Hope, from its founder, is reached, near which a noted chief, the Yonker Africaner, as he is called by the Dutch Boers of the Cape, has his kraal. His tribe are a branch of Namaquas, the fiercest and most cruel of the native races, famed for their incursions among the Damaras. Hyenas and leopards are met on the journey; bustards, and the termite white ant, begin to appear. They travelled now over a table land some five or six thousand feet above the sea, from the middle of which rises the Omatako mountain, some two or three thousand feet. They got news of a large lake, called Omanbondé, and after several days' journeying, find only disappointment; it is a mere marsh, frequented by hippopotami. They set out for the land of the Ovambo, still further north; their waggon breaks down, and they are obliged to toil forward on ox-back. A caravan of the Ovambo meets them, and refuses to allow them to proceed, except in their own company. At length they arrive at Tjopopa's-werft, the last chief of the Damaras. The Ovambo bring the travellers to the fountain Otjikoto, a basin about half a mile in circumference, with huge rocks and cliffs around its margin. The fertile plains of Ondonga are at length reached, and they rest from their toils in the lap of plenty.

Here the Ovambo, apparently a race of people the nearest approaching to civilisation in the south-west of the African continent, have created a comparative Eden. Their villages are formed of comfortable thatched houses, protected by palisadings, and their fields abound with calabashes, water-melons, pumpkins, beans, peas, and tobacco. They are rich in herds and flocks; oxen, sheep, goats, pigs, and fowls, are in abundance; and the dog, the companion of civilised man, is

domesticated amongst them. They are an honest and hospitable people, and love their native country ; their morals, however, are rather lax, the chief Nangoræ, an old fat man, nearly 70 years of age, allowing himself the luxury of a harem of 110 wives. The husbandry of this people is worthy of a more genial clime ; they store their produce in large barns, and preserve the grain in huge baskets of matting. This is the spot for the missionary to commence his labours, and hope for a successful issue to his toils.

The travellers retraced their steps from this happy place to the head-quarters of Jonker Africaner, and the country of the Damaras, from which Mr. Andersson made an attempt to reach Lake Gnami, but was obliged to return from a spot called the Elephant's Fountain, nine or ten days' journey from the lake, on account of the want of water and pasturage. They repaired again to Walfisch Bay, where Mr. Galton left the party. Mr. Andersson, and his man Hans, a brave companion and hunter, joined their fortunes, and set out for the Cape, with a herd of cattle, on a trading expedition. He gives a very good account of the ostrich, its habits, breeding, and hunting ; of the different species of serpents met on the route, and the devastating locusts, or *voet-guagers*, as they are called by the Dutch Boers. He had the misfortune to be nearly burned to death in his tent, and to lose the greater part of his effects, and all his papers. Then he was caught by the country fever, and laid up for six weeks in a miserable thatched hut, without medicine or proper food. At length they arrived at the Orange river, near which the men and animals live without water, and among the Nemaquas, the largest tribe in the neighbourhood of the Boers, who were astonished at the appearance of Mr. Andersson among them. At the Cape, Hans, his faithful servant, separates from him, and he is obliged to hire two others, with whom he returns to Walfisch Bay again, and strikes into the country, to the Barmen Station, and the Jonker's-werft, Eikhany, where he meets with a caravan of Griqua elephant-hunters, who are meditating an expedition in the direction of Lake Gnami, and to them he joins his adventurous fortunes.

Having hired an interpreter of the Bechuana language, a dialect ranging over a vast extent in the centre of this part of Africa, Mr. Andersson pursued the same route by which

he had been obliged to return before, through a very arid and pastureless track, now and then diversified by large pools, one of which is named the Elephant's Kloof, and another Tunobis. These reservoirs of water are very much frequented at night time by all kinds of wild animals, from the timid antelope to the gigantic elephant, and afford the best spots for sporting to the adventurous traveller, as any one who has read Captain Gordon Cumming's book may have long since discovered. Large troops of beasts may be seen wading their way in the grey twilight towards these basins, and can be easily trapped or shot by lying in wait. There is, however, sometimes a good deal of danger from a sudden rush of the wounded animal, as Mr. Andersson experienced on two occasions, being nearly trampled to death by an elephant, or transfixes by the horn of a huge black rhinoceros. The giraffe, too, is plenty in this district, and generally caught in pitfalls, into one of which the traveller's horse unfortunately tumbled, and was extricated from it with great difficulty. At length, after several weeks of laborious travel, he reached the object of his search, so much desired, that his feelings on the occasion, as he describes them himself, must have been overpowering:—

“The return of daylight found us again on the move. The morning being cool and pleasant, and our goal near, the whole party was in high spirits, and we proceeded cheerily on our road. I myself kept well ahead in hope of obtaining the first glimpse of Ngami. The country hereabout was finely undulated, and in every distant vale with a defined border I thought I saw a lake. At last a blue line of great extent appeared in the distance, and I made sure it was the long sought object; but I was still doomed to disappointment. It turned out to be merely a large hollow, in the rainy season filled with water, but now dry and filled with saline incrustations. Several valleys, separated from each other by ridges of sand, bearing a rank vegetation, were afterwards crossed. On reaching the top of one of these ridges, the natives who were in advance of our party, suddenly came to a halt, and pointing straight before them, exclaimed—“Ngami, Ngami!” In an instant I was with the men. There indeed at no very great distance, lay spread before me an immense sheet of water, only bounded by the horizon—the object of my ambition for years and for which I had abandoned home and friends, and risked my life.

The first sensation occasioned by this sight was very curious. Long as I had been prepared for the event, it now almost overpowered me. It was a mixture of pleasure and pain. My temples throbbed, and my heart beat so violently that I was obliged to dismount; and lean against a tree for support, until the excitement had subsided. The reader will no doubt think that this giving way to my feelings was very childish; but those who know, that the first glimpse of some great object, which we have read or dreamt of from earliest recollection, is ever a moment of

intensest enjoyment, will forgive the transport. I felt unfeignedly thankful for the unbounded goodness and gracious assistance which I had experienced from Providence, throughout the whole of this prolonged and perilous journey.

The Ngami Lake was visited in 1849 by Oswell, Livingstone, and Murray, and has ever since been regarded as an object of great interest in African discovery. At first it was thought, from native account, to be a very extensive inland sea, which might be made very useful for the internal navigation of the continent. It is now known, however, to be only sixty or seventy miles in circumference, and from six to nine miles in breadth—not more, perhaps, than two-thirds of the size of Lake Geneva. A considerable river, the Teoge, flows into and feeds it, while the Zonga, an equally important stream, carries off its superfluous waters. The banks of both rivers and lake are very marshy and full of reeds, frequented by hippopotami and crocodiles; and the savannahs near overrun by two new species of antelopes, the nakong and the leché. The Batoana, a tribe of the Bechuana, dwell upon the shores, under a chief named Lecholetebé, who at first shewed no hospitality to Mr. Andersson, but, on the contrary, continually begged food and clothing. This people—and, indeed, the Bechuana in general—are remarkable for their eloquence, which they exercise in their pichos, or parliaments, where every one is at liberty to abuse the government and ruler to his heart's content. They have no religion, are polygamists, and slaves to many superstitions, especially that of rain-making, the professors of which, on pretence of drawing water from the clouds, may obtain anything they desire. The men are addicted to snuff-taking, and the women to smoking the “dacka” or Indian hemp.

Hiring some of these people and their canoes, Mr. Andersson made an expedition across the lake and up the river Teoge, to a place called Libebé, the head quarters of a very interesting race, the Bayeye tribe. Their manner of harpooning the hippopotami, from large rafts made of reeds, is exceedingly entertaining, especially when compared with the sketches which have been found in Upper Egypt, of the same operation as performed by the subjects of the Pharaohs. These natives are very much in dread of the buffalo, and, instead of using it as food, fly at its approach, as others will from the lion. A novel species of antelope, the koodoo,

with curious spiral horns, is also met with among this people.

The traveller, having now attained the end and object of his excursion, turned his steps homewards. It was necessary, however, in order to convey his baggage and specimens, that he should procure waggons and oxen for the journey to the Cape. He set out, therefore, on a further toilsome travel into the land of the Nemaquas, to procure these things; and it was not until after a four months' search that he was able to bring them to his men, who awaited him on the banks of the Lake Ngami. During this time he suffered so much from fatigue, hardship, and the climate, that on one occasion he and his horse dropped in the midst of a sandy plain, from the effects of exhaustion and sun-heat, and remained lying there the greater part of a day, exposed to the burning rays. Fortunately, a merciful Providence watched over him, and he escaped without any injurious effects.

It must be abundantly evident to the reader, even from this short sketch, that the inhabitants of South-western Africa are a very different race of people from those met with by Captain Burton on his excursion to Harrar. The former are peculiar to their own country, with some manners and customs not to be found in any other region of the earth. Their plains are filled with strange animals—the giraffe, ostrich, gemsbock, oryx, elephant, and many species of antelopes; their rivers and lakes swarm with the hippopotami, rhinoceros, and crocodile. The character of the various tribes appears to be rather friendly to Europeans, as Mr. Andersson seems to have met everywhere with hospitality and respect. Some of them are, no doubt, given to marauding among their neighbours, such as the Nemaquas, under the Yonker Africaner, who is the scourge of his part of the country. Others live in peace, plenty, and, what might be called in savage life, luxury, as the Ovambo, some of the Damaras, and Bechuana. Here, therefore, is the quarter of the world where the labours of the missionary are most likely to be useful; and certainly, the efforts of the Rhenish Society in establishing stations at Scheppmansdorf, Schmelen's Hope, and Barmen cannot be too highly praised, as well as the endurance and self-denial of the men who have undertaken voluntarily to establish

themselves in these places of exile. It is very little matter, however, what denomination of Christianity, or form of our common religion, is propagated among these natives, because every form has a tendency to civilize and cultivate the barbarous mind. We regret very much that Dr. Livingstone's account of his labours and researches has not been brought out by the publishers in time this quarter to be subjected to a fitting review. That pleasure and satisfaction must be reserved for our next number, in which we hope to have much interesting matter, on the subject of African exploration, for our readers.

Before closing this paper, however, we wish to direct the attention of persons interested in discoveries in the interior of the continent to a large district, which seems to have been almost completely disregarded, and yet must be well worthy an effort to discover its secret. We allude to the immense tract lying North-west of Zanguebar, and somewhat South-west of Abyssinia, and stretching across the entire continent to the Bight of Benin and the Gold Coast. Here is a field almost entirely unknown, even by report, except that the inhabitants of the coast represent it as completely impenetrable. There is, nevertheless, an easy road for penetrating it—namely, the stream of the Zaire, the most magnificent river in the Eastern side of Africa; and the toil of the explorer would be amply repaid by solution of several problems in discovery—the existence of the fabled Mountains of the Moon, the source of the White Nile, and the fine climate and people, who have been reported by Abyssinian travellers to exist thereabouts. It is to be hoped that the next expedition to the African continent will be directed to this quarter.

ART. IX.—RECORDER HILL ON THE REPRESSION OF CRIME.

Suggestions for the Repression of Crime, contained in Charges Delivered to Grand Juries of Birmingham; supported by additional Facts and Arguments. Together with Articles from Reviews and Newspapers, Controverting or Advocating the Conclusions of the Author. By Matthew Davenport Hill. London: Parker and Son, 1857.

"I inscribe," writes Mr. Hill, in the dedication of his work, "this book to Henry Lord Brougham and Vaux; whose genius and energy, directed to the noblest objects, won the admiration of my youth; whose friendship has been the pride of my manhood, and now solaces my declining years." It is a dedication worthy of the book, worthy of him to whom the book is inscribed, and worthy of the learned and ever earnest judge by whom it was written.

The history of eighteen years of a judicial life like Mr. Hill's could not fail to prove interesting and instructive even if it but recounted the incidents of which, during the period, he had been an observer; this book before us is doubly interesting and instructive, as it not alone recounts the history of what the author has witnessed, but likewise of all bearing on those points, and of events in which Mr. Hill was an actor; and thus, in the higher range, he shows how truly Johnson spoke when he declared, that if a man were simply to note down the facts connected with his daily existence, the record could not be useless, and might be valuable.

Mr. Hill does not appear to consider his book as a treatise on any subject, but as a guide to the student, (in this, however, we presume no one will agree with him), and he writes—"Judging, perhaps, too hastily from the public attention directed towards many of these Charges on their delivery, my friends have decided that they ought to be published, in a form likely to obtain a place for them among works consulted by the students of the various interesting branches of knowledge, which—using the term in a wide sense—may be classed under the head of Criminal Jurisprudence." From many sources he

gathers opinions for and against the views advocated or indicated in the Charges : and herein it is, in the patent evidence of this conflict of opinion, that we are enabled to discover the extraordinary unwillingness of the English people and of the British legislature to change any portion of the law, even though proved to be unjust in operation, cruel in result, or absurd in principle. From this book we learn that Bull has two phases of existence ; in one phase he is the jolly, jovial, jocund John, with the low-crowned hat, top boots, thick stick, and knee-smalls, whom every body likes and respects, for he is the genuine John ; but he is often transformed into the other phase, in which he becomes the wild and rampant genuine Bull-*Buffalo*, with head down, horns ready, and tail at full cock. In this state he rushes at any thing or every thing not exactly as he thinks it ought to be ; he gores it, he tosses it, he tramples it ; he will listen to no reasoning ; he is a stupid brute for the time, and appears to live for only two purposes, goring and roaring, roaring and goring.

Mr. Hill and his opinions have, during these past eighteen years, encountered a vast amount of the roaring and goring, but he and they have also had experience of the better nature of the beast, and therefore, Mr. Hill is right when he states, that he trusts his book will "not be without its use, in offering encouragement to those who feel it their duty to abide steadfastly by sound principles, however unpopular,—patiently awaiting the day when public opinion shall range itself on their side." And thus it does "range" at last ; thus it ranges now in favour of Reformatories for the young—the school master rather than the gaoler—and adopts the motto of the Newcastle and Gateshead Committee, holding that "a child, even when criminal, should be treated as a child and sent to a Reformatory School and not to a Prison ;" thus it and the legislature range on the side of those who declare that transportation to the colonies should be a Reward not a Punishment, and that the worst class of offenders permitted to live, should not be discharged free at home or in the colonies. But self-evident as these things appear, it took the labour of lives to drive them into the public mind, and then, by adoption, to clench them. All who assisted in this struggle are worthy the highest commendation ; those who from ability or position became leaders in it, deserve our deepest gratitude ; and to Mr. Hill who has done knight's service and yeoman's work in the cause, and who gives us the

results of the contests, of the defeats and of the successes we may apply Terrasson's eulogy on the labours of D'Aguesseau—
 “Quand la vertu sort victorieuse de tels combats, elle n'a besoin d'autres épreuves; il ne lui faut que des couronnes. Celle qui est due à tant de travaux, ne s'est pas fait attendre long-temps.”

The book contains twenty Charges, the first delivered in July, 1839, the last, March, 1857, and in addition, we have a very admirable speech, delivered in 1845, upon the laying the first stone of the Birmingham Gaol, inculcating the principle of endeavouring to render Prisons as much as possible Moral Hospitals. To each Charge, a “Sequel” is appended, containing the facts most useful and necessary in elucidating the subject matter of the charge; and in the “Sequels,” Mr. Hill shirks neither his supporters nor his opponents, letting the latter speak in their own words, and leaving the soundness of the conflicting opinions to the judgment of the reader. When requisite, an “Introduction” is prefixed to the Charge.

The well-arranged and most valuable mass of information contained in the “Sequels,” is not only most important to the student of the philosophy of jurisprudence and of national opinion, but is likewise full of interest to the ordinary reader, who as he finds how laws are now ameliorated, and society improved, is forced gratefully to exclaim—

“The good of ancient times let others state,
 I think it lucky I was born so late.”

That, however, the reader may fully comprehend the scope of the work, and the amount and variety of matter contained in the “Sequels” we insert the following table or syllabus, which is sufficiently full and accurate:—

Introduction to Charge of July, 1839. First Sessions. Dangerous Meetings. Police defeated. Sessions Court guarded by military force.

Charge of July, 1839. Painful circumstances of First Charge. Justice best administered on the spot. Necessity for permanently disposing of Convicts who make crime their calling. Use and abuse of Grand Juries.

Sequel to Charge of July, 1839. Riots, with incendiary fires. Distinction between political prisoners and ordinary criminals should not be obliterated. Effect on prisoners of degrading observances. Public ought to bear cost of witnesses for prisoners. History of Prisoners' Counsel Bill. Convictions and executions for forgery.

Observations arising out of Charge delivered in May, 1840. Uttering counterfeit coin. Circumstances incidental to this offence changed since 1840. Criminal class below the average in intellect. Phrenological treatment of prisoners.

Charge of April, 1841. Reformatory at Stretton-on-Dunsmore. Its results. Letter thereon from Sir J. E. Eardley Wilmot, Bart. Necessity for multiplying Reformatory Schools.

Charge of January, 1845. Strikes and intimidation. Receivers of stolen goods. Marine store dealers.

Sequel to Charge of January, 1845. Local Act in Liverpool for regulating the licenses of marine store dealers.

Charge of October, 1845. Embezzlement. Masters and Servants. Prevention of crime.

Sequel to Charge of October, 1845. Preventive checks to crime. Charity. Duties of employers towards employed. Belmont Candle Company. Recreation.

The Laying of the First Stone of Birmingham Gaol. Recorder's speech. The Gaol should be a Moral Hospital.

Charge of March, 1847. Sudden increase in crime. Evils of short imprisonments.

Sequel to the Charge of March, 1847. Causes affecting quantum of crime.

Charge of April, 1848. Chartist Demonstration. *Liberté, Égalité, Fraternité.*

Charge of October, 1848. Juvenile Offenders. Stretton-on-Dunsmore. Mettray.

Sequel to Charge of October, 1848. Mettray. Letter from M. Blanchard on Results of Mettray. Extract from *Le Journal d'Indre et Loire.*

Charge of April, 1850. Petitions on behalf of Prisoners. Facility with which signatures are obtained. Evil Effects thereof.

Sequel to Charge of April, 1850. Instances illustrating the statements made in the Charge.

Introduction to Charge of October, 1850. Burglaries in Birmingham and elsewhere.

Charge of October, 1850. Crimes of Violence. Suggestions for restraining persons known to be living by crime.

Sequel to Charge of October, 1850. Law existing in India similar to that suggested in the Charge. Opinions of the Press on the suggestion.

Charge of October, 1851. Suggestion contained in preceding Charge more fully explained.

Sequel to Charge of October, 1851. Burglary at Mr. Holford's. Opinions of the Press on the Author's suggestion.

Introduction to Charge of October, 1853. Cruelties in Birmingham Gaol.

Charge of October, 1853. Birmingham Gaol. Captain Maconochie. Prison Discipline. Reformatory Treatment.

Sequel to Charge of October, 1853. Mark System. Testimonials to Captain Maconochie. Norfolk Island. Inefficiency of Deterrents. Letter from the Author to Mr. Adderley thereon. *Société de Patronage.* Lord Brougham on the Criminal Class.

Charge of March, 1854. Connexion between Disease and Crime. Metropolitan Association for Improving the Dwellings of the Industrious Classes. Common Lodging Houses' Act. Its Effect in Birmingham and other Provincial Towns. London.

Sequel to Charge of March, 1854. Conversation with Dr. Southwood Smith. Report by Medical Officer of Birmingham. Sanitary Condition of that Town. Overcrowding in London. Bristol Lodging Houses. Duties and Responsibilities of Houseowners.

Charge of September, 1854. Youthful Offenders' Act. Reformatory Schools. Parental Responsibility. Voluntary Principle.

Sequel to Charge of September, 1854. Birmingham Conferences. Bristol Meeting. Warwick Meeting. Returning Juvenile Offenders to Parents or Employers. Industrial, Ragged, and Reformatory Schools.

Introduction to Charge of January, 1855. Operation of the Maine Law.

Charge of January, 1855. Intemperance a fruitful source of crime. Restriction in sale of Intoxicating Drinks. Prohibition. Maine Law. Addendum.

Sequel to Charge of January, 1855. Objections to the Charge answered. Table showing the Progress of the Maine Law in the United States. Effect of good or bad times on amount of crime. Effect of Prohibition in the United States.

Charge of April, 1855. Grand Juries. Limited utility of Grand Juries.

Sequel to Charge of April, 1855. Birmingham Debtors' Gaol.

Charge of October, 1855. Ticket-of-leave system. Rapid mitigation of the Criminal Code. Stoppage of Transportation. Necessity for adopting reformatory system.

Sequel to Charge of October, 1855. Archbishop Whately on Time Sentences. Hulks. Transportation Committee, House of Commons, 1856. Opinions of the Press on the Charge.

Charge of October, 1856. Resolutions of the Transportation Committee, House of Commons, 1856. Hope, an essential element in reformatory treatment. Penal Servitude. Ticket-of-leave system not administered in its integrity.

Sequel to Charge of October, 1856. Prisons of Munich and Valencia. Smithfield Penitentiary, at Dublin. Re-commitments of Ticket-of-leave men. Photographic Portraits of Criminals. List of Ticket-of-leave men in Birmingham. Discharged Prisoners' Aid Society at Birmingham. Letter to the *Times* in defence thereof.

Introduction to Charge of December, 1856.

Charge of December, 1856. Crimes of Violence. Discharge from Gaol of Unreformed Criminals. Ticket-of-leave system, if faithfully administered, would mitigate present evils.

Sequel to Charge of December, 1856. Repression of Crime the end aimed at by Criminal Jurisprudence. Letter to the *Daily News* thereon. Opinions of the Press on the Charge.

Charge of March, 1857. Sir George Grey's Transportation Bill. Necessity for Reformatory Treatment. Tickets-of-leave. The Ashover Burglary.

Sequel to Charge of March, 1857. Crime in 1856. Prison Discipline in Ireland. Smithfield Penitentiary, Dublin. Thomas Wotton. Tickets-of-leave and penal servitude men.

As we read this table our opinions of Mr. Hill's spirit of industry are raised to a high pitch, but they are still more exalted as we read the book itself, and laying it aside we are reminded of Fuller's good advocate—"When his name is up his industry is not down, thinking to plead not by his study, but his credit. Commonly, physicians, like beer, are best when they are old; and lawyers, like bread, when they are young and new. But our advocate grows not lazier."

When Mr. Hill was appointed to the Recordship of Birmingham, the Chartists were exciting the working classes. A serious riot took place, the leaders were tried, convicted, and sentenced to twelve months imprisonment. These riots gave occasion to Mr. Hill to deliver a most important charge, and from its sequel we extract the following passages, on the treatment of Political prisoners and ordinary criminals; upon counsel for prisoners, and upon the payment of witnesses for prisoners by the Crown. Referring to the changes wrought in the minds of the ringleaders sentenced to imprisonment, Mr. Hill says:—

The opportunity thus afforded them for reading and reflection was not thrown away. One of them, Mr. Lovett, a man of ability, wrote a book while in prison for the use of Chartists, containing a plan of education well adapted to the requirements of working men, which I read on its publication with great pleasure. One passage, I remember, struck me very much. Lamenting the ignorance of the labouring classes, he candidly expresses his satisfaction that he and his coadjutors had hitherto failed in their aims at investing them with political power; for although he still looked forward to the time when they will possess it as not very distant, yet he was of opinion that if it had come before they were prepared by education to make a good use of it, the consequences would have been fatal to the public welfare.

That Mr. Lovett and his colleagues were sincere men, however mistaken or hot-headed, I entertain no doubt; and here I may say, that the prevalent opinion which stigmatizes the demagogue as a designing person, promoting selfish objects under pretence of advancing the public weal, lays down a rule which, to say the least, contains a great number of exceptions. The accidents of life have enabled me to see much of these agitators, and I have often found them persons only differing from their followers in the preponderance of the higher qualities.

What they believe to be true, their zeal, courage, and sense of duty impel them to act upon as true; whereas many who hold the

same tenets, and who love to expatiate upon them, shrink from any sacrifice in their support.

The prevalent opinion to which I have adverted is strengthened by circumstances which, if well understood, would not infrequently lead the candid mind to an opposite conclusion.

Sudden and somewhat violent changes of sentiment often occur among demagogues. These changes, which are not unnaturally attributed by those who are acquainted only with the bare fact, to want of principle, are often the result of a conscientious adherence to opinions, until they have been seen to lead, by a necessary consequence, to unexpected and injurious results.

The earnest sincerity which urges these men to reduce to practice what they profess gives them the teaching of experience, and engages them in reflection; whereas the lazy and the timid, who feed their minds upon mere speculation, have little motive and little opportunity for discovering their errors.

Leaders in every class, high or low, soon find—very often to their great surprise—that to succeed in governing others, something more is required than good qualities and right meaning on the part of governors; and their attention is necessarily drawn to defects in the body to be governed. Indeed they view the whole affair of government under a new aspect; and although for a time they may be hurried on by excitement and the power which associates have over each other, yet the truth will eventually force its way; and that period is often accelerated by some event, like imprisonment or a fit of sickness, which withdraws them for a time from the field of action.

From these considerations I have regretted that of late years the distinction between political prisoners and ordinary criminals has been well nigh obliterated. The general instinct of the civilized world in all ages has recognized the difference. Political offenders have been felt to be, if not exactly prisoners of war, yet bearing some resemblance to such captives. To keep their persons in safe custody, or even to take their lives on great occasions, gives no shock to public sentiment: but to subject them to degrading treatment, to crop their hair, clothe them in a prison dress, march them to and fro under the command of a turnkey, prevent them from supplying themselves with books and the comforts which habit has changed into necessities, and, above all, to lay harsh restrictions on the visits of their friends, is so revolting to the most ordinary sympathies, that magistrates and governors of prisons will not subject them to such indignities and hardships unless the legislature has made their infiction imperative.

The political prisoner, when his treatment is left to the ordinary feelings of mankind, is dealt with as a person in misfortune, who must undergo the sufferings attached to his position, but whose feelings are not to be wounded by contumely. I admit it would not be difficult to find instances in every age wherein the principle has been grossly violated, but such violations have been condemned by universal consent whenever the excited feelings by which they were caused, have subsided.

Political actions assume such different hues, as time rolls on, that society is often spared much regret—perhaps remorse—by having treated them in a forbearing spirit.

I am old enough to remember Sir Francis Burdett sent to the Tower for a letter, which, if published now, would, after the high-seasoned language in the use of which the press has for many years been permitted to indulge, be remarked, if noticed at all, for tameness. He subsequently passed a year in the King's Bench Prison, for writing a letter to Mr. Bickersteth, (afterwards Lord Langdale), censuring the conduct of the magistrates and yeomanry, with regard to the conflict, popularly called the Manchester Massacre.

Still later, upon a supposed change of opinions, which he never admitted, he was taken into favour by the political party to which he had been obnoxious; and, although after this event, he did not stand as formerly with his old partisans, yet it would have been a subject of painful remembrance to the whole nation if this high-bred English gentleman had been made to undergo, in any part of his life, treatment which would have outraged his feelings of self-respect.

Mr. Bickersteth who published the letter in the newspapers, rose to be Master of the Rolls, and died a peer of the realm.

Mr. Leigh Hunt, who was imprisoned in the gaol of Horsemonger-lane, for a libel on the Prince Regent, had assigned to him spacious and airy apartments, which he was permitted to decorate and furnish at his pleasure; and he is now in the enjoyment of a pension granted by the niece of the sovereign who was the object of his attacks.

The poet, James Montgomery, lately deceased, who had undergone imprisonment more than once for political libels, had also a pension derived from the same source; and neither with regard to himself or Mr. Hunt, was a single voice raised to object against the bounty of the crown being so applied.

Poor Fergus O'Connor was not so fortunate. His treatment in York Castle, when convicted of sedition, was harsh and degrading; and necessarily so, as the law then stood, the visiting magistrates having had no power to alleviate his condition.

The remarks on the distinction which should be made between political and ordinary prisoners, are worthy of Mr. Hill, and are proof not alone of his humanity, but likewise of his sound judgment and knowledge of human nature.

Upon the amelioration of our jurisprudence, by which counsel for prisoners were permitted to address the jury, we have the following interesting history of the rise and progress of that valuable change in our law:—

The public apathy to which I have adverted, can hardly be more forcibly illustrated than by the fact, that it was not until the year 1824 that any attempt was made in parliament to remove the disability of prisoners to be defended by full counsel. It ought, however, in candour to be stated, that several excellent persons were adverse

to the change, in the sincere belief that the allowance of counsel to prisoners would not tend to elicit truth. Of these some objected to counsel being heard to address the jury on either side, timidly following in the steps of Bentham, who disapproved of advocacy in any form, in either civil or criminal cases.

The general proposition is intelligible, though, as I think, most erroneous. But how a distinction could be drawn between civil and criminal cases, I was never able to apprehend; and, if there be degrees of impossibility, was I less able to apprehend how the distinction should be made to restrict the privileges of a person accused of crime: for, supposing distinction could be established, one should naturally expect it to be favourable to him whose life was at stake rather to him whose property alone was in question.

In the year 1824, Mr. George Lamb, the brother of the late Lord Melbourne, brought the subject under the consideration of the House of Commons. He was supported by Sir James Mackintosh, Dr. Lushington, and Mr. Denman, and opposed by Attorney-General Copley, afterwards Lord Lyndhurst, and Solicitor-General Wetherall.

On the division, fifty voted for, and eighty against the motion.*

Ten years afterwards, conversing with Lord Lyndhurst, who was still opposed to the measure, he told me that his speech had converted Mr. Canning, who was previously favourable to the change.

In the year 1826, the pen of Sydney Smith was employed in the cause of the prisoner. He addressed the world through that powerful organ, *The Edinburgh Review*, and I cannot resist the temptation to insert a portion of his article:—

“It is a most affecting moment in a court of justice, when the evidence has all been heard, and the judge asks the prisoner what he has to say in his defence. The prisoner, who has (by great exertions, perhaps, of his friends), saved up money enough to procure counsel, says to the judge, ‘that he leaves his defence to his counsel.’ We have often blushed for English humanity to hear the reply—‘Your counsel cannot speak for you, you must speak for yourself.’ And this is the reply given to a poor girl of eighteen—to a foreigner—to a deaf man—to a stammerer—to the sick—to the feeble—to the old—to the most abject and ignorant of human beings! It is a reply, we must say, at which common sense and common feeling revolt; for it is full of brutal cruelty, and of base inattention of those who make laws to the happiness of those for whom laws were made. We wonder that any juryman can convict under such a shocking violation of all natural justice. The iron age of Clovis and Clotaire can produce no more atrocious violation of every good feeling and every good principle. Can a sick man find strength and nerves to speak before a large assembly? Can a low man find confidence? Can an ignorant man find words? Is he not afraid of becoming an object of ridicule? Can he believe that his expressions will be understood? How often have we seen a poor wretch, struggling against the agonies of his spirit, and the rudeness of his conceptions, and his

* *Hansard*, New Series, vol. xi.

awe of better dressed men and better taught men, and the shame which the accusation has brought upon his head, and the sight of his parents and children gazing at him in the court, for the last time, perhaps, and after a long absence. The mariner sinking in the wave does not want a helping hand more than does this poor wretch. But help is denied to all! Age cannot have it, nor ignorance, nor the modesty of women! One hard uncharitable rule silences the defenders of the wretched in the worst of human evils; and at the bitterest of human moments, mercy is blotted out from the ways of man!"*

In the same year Mr. George Lamb made a second attempt. He was supported by Mr. Horace Twiss, in an admirable speech; by Mr. John Williams, afterwards the judge; by Mr. Brougham, Mr. Denman, Mr. Scarlett, and Lord Althorpe; but was opposed by Attorney-General Copley; by Mr. Peel, afterwards Sir Robert Peel; Mr. Tyndall, Solicitor-General Wetherall, and Mr. Canning. On that occasion the ayes were 36, while the noes were 105,† so that instead of making progress, the question would seem to have lost ground. Nothing further was done in Parliament until 1834, when the Prisoners' Counsel Bill, introduced by Mr. Ewart, passed the House of Commons, but did not find its way through the House of Lords. The debate was taken on the motion of Mr. Ewart for the second reading of the bill, a motion which I had the honour to second. It was supported by Mr. Pollock, now Chief Baron, Lord Althorpe and Mr. O'Connell; and opposed by Sergeant Spankie; but it passed without a division.‡

In 1835, Mr. Ewart was again at his post, but having been immediately deprived of my seat, I lost the privilege of assisting him. On moving to commit the bill, he was supported by Attorney-General Campbell, Mr. Blackburne, Mr. Charles Buller, Mr. O'Connell, Dr. Lushington, and Mr. Sergeant Talfourd; and was opposed by Mr. Poulter and Mr. Sergeant Goulburn.§

On the the third reading there was a second debate. Sir George Strickland and Mr. Charles Buller supporting the motion, and Sir Eardley Wilmot and Mr. Poulter, opposing it; the ayes were 43, noes, 36.||

In the year 1836 Mr. Ewart again persevered. The second reading was supported by Mr. Ewart, Mr. O'Connell, Mr. Pollock, Dr. Lushington and Attorney-General Campbell, and was opposed by Sir Eardley Wilmot, the Chairman of the Warwickshire sessions, who stated that nine-tenths of the legal profession and of the judges were adverse to the measure. It was also opposed by Sergeant Goulbourn, now one of the commissioners in bankruptcy.

As I have mentioned the names of these two gentlemen, Sir Eardley Wilmot and Sergeant Goulbourn, let me pause a moment that I may bear witness to their kindness of heart. Sir Eardley Wilmot was one of the earliest advocates for the reformatory treatment of juvenile offenders, as his published works will prove. He

* *Edinburgh Review*, (1826), vol. xlv., p. 85.

† *Hansard*, New Series, vol. xv.

‡ *Ibid*, Third Series, vol. xxiv.

§ *Ibid*, Third Series, vol. xxviii.

|| *Ibid*, Third Series, vol. xxix.

was one of the founders of the Asylum at Stretton on Dunsmoor, and a steady and active supporter of the institution until his death. Sergeant Goulburn's friendship I have enjoyed for more than thirty years; and I look back with much pleasure on many acts of kindness to myself and others, which testify conclusively to his amiable disposition. For the second reading the ayes were 179, the noes 35. When the bill went up to the House of Lords, it was twice debated. On the first occasion Lord Lyndhurst gave a history of the bill, and of the change in his own opinion, which it will be interesting to read. "In the year 1834," he said, "a bill similar to this in principle, passed the House of Commons. It came up to your Lordships', it was read a first time, and no further proceedings took place upon it. In the last year the bill was again renewed. It passed the other House of Parliament without a division, came up to your Lordships', and was referred to a select committee. But these proceedings took place so late in the session it was impossible that that committee could make a satisfactory report. Nothing further therefore could be done beyond printing the evidence. At the commencement of this session of Parliament, the present bill, founded on the principle of the former, was again introduced into the other House of Parliament. It was in consequence, I presume, of the proceedings which I have detailed, that it was referred to a select committee which reported in favour of it, and it passed to your Lordships' House by a great majority. That bill is now upon your table for consideration and discussion. His Majesty's Secretary of State for the Home Department, directed the commission which had been appointed to investigate the state of the Criminal Law of this country, to turn their attention to this subject. That commission have accordingly done so; they have investigated the subject fully, and they have examined witnesses the most qualified to throw light upon it. They have made a most elaborate and learned report upon this subject; and they unanimously recommend that the principle of this bill should be adopted. It is under these circumstances, and with this sanction, that the measure is now submitted to your Lordships' consideration; but the case does not rest here; the current of ancient authority sets still more strongly in my favour. I have to cite the opinions of Whitelock, who had been one of the commissioners of the Great Seal, and of Judge Jeffreys, as being in favour of the principle of this bill. I find that there stands opposed to me the name of the respected and venerable Sir Michael Foster; but he does not express himself very strongly upon the subject. He says: 'I am far from disputing the propriety of this rule (that of refusing counsel to address juries for the prisoner in cases of felony); in all these cases we must be guided by a balance of evils and inconveniences.'

"My Lords, I admit the authority, and even the doubts of that learned judge to be entitled to great attention; and it was in consequence partly of these doubts that, after examining what might in my mind, be the evils likely to arise from a change of system, I, on a former occasion opposed a measure of this description when introduced into the other House. But, my

Lords I have since had reason to observe the progress of public opinion on the subject; I made inquiries respecting it while at the bar. I have, when on the bench, watched its progress, and seen the working of the system, and the result has been to produce a conviction in my mind that the evils and inconveniences of allowing counsel to prisoners have been greatly exaggerated, and ought not to be put for a moment in competition with that which the obvious justice of the case so clearly demands."*

The measure in the House of Lords was twice debated this year, but on neither occasions did the House divide. It was supported by Lord Wynford (formerly Chief Justice of the Common Pleas), Lord Denham, Lord Abinger, and Lord Cottenham, then Lord Chancellor, Lord Plunkett, Lord Radnor, and the Duke of Richmond, and was opposed by the Lords Wharnccliffe, a Chairman of Sessions, and Lord Devon. In that same year the bill received the royal assent, since which time I am not aware that a single voice has been raised against it. We may smile now at the exaggerated apprehensions which were entertained as to its practical consequences. It was thought the eloquence of counsel on the one side or on the other would so warp the verdicts of juries as to produce a failure of justice. Great fears were also expressed as to the effect of the measure in lengthening trials, and a total disarrangement was anticipated in the administration of criminal law. Experience, however, has shown that cross-examinations have been so much shortened by relieving the advocate from the necessity to which he was before driven of addressing the jury in a circuitous and indirect manner, through the medium of argumentative questions to the witnesses, that it is very doubtful if, on the whole, trials are longer than they were before the change.

The anticipations of practical mischief from the working of the measure entertained by men of large experience in criminal courts, as contrasted with its utter harmlessness with regard to inconvenience, and its great benefit in the aid which it affords in eliciting the truth, furnish a warning against our permitting our minds to be drawn away from the advancement of sound principles by alarms as to difficulties of detail.

Mr. Charles Phillips, a witness of deserved weight and authority, when examined before the Committee of the House of Lords of 1835, used this remarkable expression: "All theory is in favour of the change; all practice against it."

My experience through life has been, that if a sound theory be honestly reduced to practice, fewer difficulties will arise than the fear of innovation would lead us to expect; and that, when such difficulties do present themselves, surrounding circumstances will suggest the means for overcoming or avoiding them.

Such is the history of the Prisoners' Counsel Bill. The narrative by no means supports that belief in their superiority which Englishmen are wont to entertain, especially when it is remembered that long before 1836, every accused person tried in any other part of the world except in England, Wales, or Ireland, was placed under

**Mirror of Parliament*, Barrow, 1836, vol. III p. 2021.

no restriction as to advocacy. Even our own colonies, both those which remained to us and those which had won their independence had long remedied this monstrous defect of English law. Assuredly, neither as regards the rules of evidence, nor as to aiding the prisoner in his defence, is there anything to show that a spirit of mercy or of justice presided over our criminal courts. Yet, in the institution of juries, and the usage of open trial, it cannot be denied that we possessed advantages overbalancing even the enormous evils which have been laid before the reader.

The following passages, from the Charge of October, 1845, upon the Duties of Masters towards their Servants, are worthy of the deepest attention from all who repeat and feel the divine petition—Lead us not into Temptation :—

But, gentlemen, the longer I sit on this bench, the humbler grows my opinion of the efficiency of criminal jurisprudence, especially as regards its deterrent operation, either on the offender himself, who is visited with the penalties of the law, or on those exposed to temptation, but who have not yet found their way into the dock. Thus impressed, gentlemen, it will not surprise you that I am always looking round with a careful eye to find other means of diminishing the quantity of crime which prevails among us, which means may come in aid of our criminal judicature, and do something, I hope much, to advance the great end for which laws and courts are constituted—the protection of the honest and the peaceable against those of an opposite character. These means range themselves under two heads—the prevention of crime and the reformation of the criminal.

It is not my intention to enter at all on the latter division, and only partially on the former.

Gentlemen, it will be found that every species of crime requires its own set or class of preventives, in addition, however, let me say, to education and good training, which are common to all. Against some offences, a numerous, well ordered, and vigilant police, is an obvious and excellent preventive. As for instance, that of burglary, when the eye of the party to be injured is closed in sleep; but even here, the individual may do much for himself by locks and bars, and other similar expedients for keeping the robber at bay.

In the particular crime, however, which prompted this Charge, neither the policeman nor the locksmith can guard your property from the spoiler. By giving him your confidence, you show conclusively that he is not one of that class on whom it has a wholesome effect to turn the eyes of the police. Suspicion, until some act of the servant had raised it against him, would be impolitic as well as cruel, and might produce a state of mind, leading by slow but sure steps to the consequences which had been feared.

Then, with regard to security from locks, you yourselves put the key into your servant's hand, and you must do so, if your confidence is real and not feigned. In short, you must do so if you are to have the assistance which you propose to yourselves in creating the trust. But to indulge in gratuitous misgivings, would be to withhold the

confidence which you profess to repose in him, and thus to invite reprisals. Nevertheless, there are many expedients which may be used with honour and advantage, because their operation will be to prevent or weaken the temptation to crime, instead of being directed towards its discovery when committed. Where the servant is employed to receive monies for his master, let the periods of reckoning be at first very short, and what is even more important, let them be observed by the master or the agent with whom the receiver is to account with unfailing punctuality; and, as far as it is possible, let the identical notes and coins which the servant has received be those which he pays over in discharge of his accountability. I have here, gentlemen, to remark that my experience in this court has led me to believe that much blame rests on the employers for their supineness with regard to the observance of their own rules, and that in permitting money to remain in the hands of their servant, in breach of such rules, they have themselves created the temptation under which he has succumbed; and that being so, it has, I am sorry to say, not unfrequently happened that a rule which the master had suffered to fall into desuetude has been raised up against the servant upon his trial, for embezzlement, so that I can never be satisfied with being told what are the rules of any house. I am obliged very minutely to ascertain whether these regulations are living or dead—whether they are safeguards to both parties, or a snare to the unhappy prisoner.

When the servant has, by a sufficient length of probation, established his right to an extended confidence, let it be given; but let the concession not be tacitly assumed by the servant; it should be a distinct act of promotion by the employer. For instance, the servant of proved trustworthiness may now be permitted, out of the sums which he receives for his master, to make payments, and to draw his own salary, accounting only for the balance. But this ought to be felt as a great extension of the trust, and as necessarily exposing the servant to considerable temptation. That second stage, therefore, should not be arrived at until his character is of known stability.

By the observance, gentleman, of these and similar precautions, many a youth might have been saved from the abyss into which he has plunged—many a youth of hope and promise for ever blighted. It is distressing to inflict pains and penalties even upon the rude and the brutal, upon those who are inured to hardships, and for whom public shame has no terrors; but it is a bitter task indeed to administer the law against those whose habits, manners, and training make its visitations absolutely appalling, and whose sufferings are generally multiplied in the persons of relatives and friends, even more keenly sensitive than the prisoners themselves. I am sure you will agree with me, gentlemen, that an employer who is led by the course of evidence, or by his reflections, to be conscious that his own negligence may have had much to do with his servant's fall, must be thrown into a state of feeling very little to be envied. With your permission, I will pursue the subject of preventive checks a little further.

Mr. Stephens, the Superintendent of Police, keeps a register of all complaints which are brought to his knowledge of the loss of money or goods, by robbery or theft. I have inspected this document, and have been grieved to observe what a large amount of depredation is committed by prostitutes. With regard to offences of this description, no doubt the vigilance of the police is a preventive check, the absence of which would soon be felt in the multiplication of such robberies. -But still we cannot but perceive that, for the due repression of these evils, we must have resort to very different expedients to those of police—a higher education for all classes is called for—religious and moral training must take a more prominent place among us than has been yet accorded to it, until the appetites are brought under subjection to the conscience.

Nor can we safely neglect minor expedients. We suffer in England for the want of harmless and elevating recreations. Whatever augments health of mind and of body enables us to make a stouter defence against the tempter. And, gentlemen, amusements, properly conducted, might materially subserve even the purposes of sound education.

From the register to which I have adverted, it would appear that in this town more property is stolen by persons who enter houses with false keys, than by any other mode of theft. This being an ascertained fact, I have made enquiry as to the state of the locks on the house doors of the working classes, who are the greatest sufferers by this kind of depredation, and I am told that they are of the rudest description, insomuch, that a few skeleton keys are all that is required to command admission to these dwellings, exposed, as they too frequently are, by the absence of their occupants, who have no servants to leave in charge of their property. Here, then, a small expenditure on the part of the landlord would work as a most efficient preventive check, which, I think you will agree with me, ought not to be overlooked.

I have often in this court urged upon both juries and prosecutors the mischiefs which flow from the pernicious habit indulged in by the shopkeepers of this town, in common with those of other places, who persist in exposing their wares at their shop-doors. Many a child has been led into overpowering temptation by this practice. But when I have remonstrated with the shopkeeper, he has stated in justification or excuse, that, while his brethren in the trade adopt the same expedient for attracting customers, he is compelled to follow their example; and, gentlemen, whether compelled or not, I fear he will follow it until the legislature prohibit this blameworthy exposure of property, which, I think, might very appropriately be punished by confiscation of the articles thus exhibited, or, at all events, by a pecuniary fine, rapidly increasing on every repetition of the offence.

Such, gentlemen, are the means of prevention which it occurs to me to lay before you at the present moment. That I have not exhausted the subject will be obvious on the slightest reflection.

SEQUEL.

A VOLUME might be written, and usefully written, on the preven-

tive checks to crime which individuals and private associations might exercise without the aid of law, by acquiring a salutary influence over the minds of the classes standing below them in the scale of rank.

It is impossible to overrate the efficacy of individual action, if society were sufficiently imbued with the sense of what each of its members is capable of doing, and ought to do. There is not one among us, however humble in degree, who has not some power of this kind. Indeed, in many respects, the nearer in social position are those who influence to those who are to be influenced, the greater and more persistent that influence will be. Benevolent attentions on the part of the rich lead to the hope of benefactions. Indeed, it would be difficult to persuade the poor that sympathies which stop short of gifts are genuine; and it is perhaps more difficult for him who is moved by real sympathy to withhold his bounty, or even to restrain it within its due limits. And yet, how manifold the evils which accrue from charity, unless its administration be governed by sound judgment, and by a reserve which wears the appearance of grudging parsimony! Thus danger lies on either side the path. The open hand encourages the pauper spirit—reliance on the aid of others; it weakens every motive to industry and thrift, eventually fastens upon the object of its benevolence a curse more terrible than the direst poverty, and, what is more to our immediate purpose, it is fatal to the existence of all wholesome ascendancy over his mind. On the other hand, an equal soundness of judgment, great command of temper, and unvarying gentleness of manner, are required to prevent him whose wants are very sparingly supplied out of stores which he knows are ample, from indulging in feelings which make the intercourse between the parties anything but conducive to a frame of mind likely to elevate his aspirations, and give firmness of tone to his resolves.

After all the experiences Bull has had of the cost and failure of Transportation; after all the facts and figures which have been placed before him by men of ability, of honor, and incited by the purest, the most disinterested feelings, it seems strange that he should still continue obtuse, a perfect bucolic Bull, wedded to the old pastures, and incapable of raising his nose above the old familiar ground. PREVENTION is a principle he *will* never adopt. He imported the Great Plague from Turkey in rags and wearing apparel; he "took in" the Cholera from Hamburg at any time these twenty-four years, and never tried to prevent the importation of the rags and bones in which it is supplied to him. In come the rags and bones, out flares the Cholera, down go Doctor Southwood Smith, and a cohort of young physicians, with an impedimenta of laudanum, brandy, and chalk mixtures, but every thing is done *after* the mischief has begun. Just as Bull acts in the case of physical, so does

he act in the case of moral, disease—he will do any thing to punish crime, he will do nothing to prevent it.

Let us take, for example, the cases stated before the last Transportation Committee of the House of Commons. We have it recorded, that although Ticket-of-Leave men could be shown to have broken every condition of the endorsement on the Ticket, although they could be proved to devote their felon energies to the training of young thieves, yet Bull's police, the "active" force, would not check the Ticket-of-Leave man in his course of crime. Why should he do so? He knows the flash houses; he knows where the thieves can be found; he knows that if he visits, as he does visit nightly, the haunts where every man and woman of the quarter is a thief, and worse, that they will enquire, and make a confession in the interrogatory, "Do you want me?" and "the active and intelligent officer," acting under the red tape and sealing-wax Commissioner, says "No." Is this Prevention?—Is this right or just towards the public?

Then we have the receivers of stolen goods, called in England, Marine Store Dealers, and in Ireland, Gather-em-Ups, or Rag and Bone Sellers. It was proposed, and most strongly urged by Mr. Hill, in one of his Charges to the Grand Jury of Birmingham, that these trades should be strictly regulated, and as we think our friends may read his observations with advantage, we here introduce them:—

It has been often said, and with perfect truth, that if there were no receivers, there would be no thieves; because a thief cannot live upon the consumption of the articles which he may steal, many of them not being capable of being so used; he lives then by taking the articles to the capitalist—the criminal capitalist—who buys them at a reduced rate, and who thereby supplies the thief with money for the purposes of his maintenance. It has always, therefore, been thought of great importance that such offenders should be severely punished, but the difficulties of conviction are very great, inasmuch that since I have sat here, now a period of seventeen years, I have had before me very few indeed of these capital receivers. Now and then some casual receivers have been brought before me, but their cases were not of a nature to render their detection very useful to the community. With regard to the individual cases to come before you I shall say nothing, knowing as I do, how competent you are to deal with them according to their deserts. At the same time, allow me to observe, that the difficulties which stand in the way of convicting the practised receiver of stolen goods who keeps a shop for taking in this kind of property, have turned the attention of many persons to consider whether a trade of this kind ought to be permitted to be an open

trade, and whether it should not be controlled and regulated by license. If there were licenses for such shops, they should only be granted on one condition. No person should receive a license unless he could show that he was a respectable person, by bringing the signatures in his favour of a given number of persons—householders of known honesty and integrity. Again, it has been proposed that all such houses should be so constructed as not to be out of the observation of the police, and that the occupiers of them should be required to keep a book containing an account of the articles purchased by them, and the names of those persons who bring them. All this has been done in the town of Liverpool, and perhaps elsewhere. Certainly we know that this course has been followed at Liverpool, under the powers of a local act; and I am informed that the results are very beneficial—that it has restrained and diminished the numbers of thefts, by throwing impediments in the way of the thieves disposing of stolen property, because they dare not take it to a really respectable man for fear of detection, and must take it to a person who either positively and absolutely knows that it has been stolen, or at all events shuts his eyes, and takes care *not* to know that the article is stolen. As to nice distinctions between one man and another in such cases, I will not attempt to draw them. The line, indeed, which separates is very fine, and I will not occupy your time in endeavouring to trace it.

We do not think it possible to discover anybody, excepting a thief or a receiver, who would object to the adoption of such a safeguard as is here urged. And further, it should never be forgotten that our thieves know the full value of speed, and that goods stolen in London can be easily transmitted to Liverpool, or to Birmingham, or to Dublin, if necessary, to the safe custody of “the agent,” and can, so far from the place of plunder, be disposed of with a facility very like to impunity.

We have heard it stated that this principle would be open to abuse, but we do not perceive the danger, as it is quite plain to any mind that it would apply only to a well known, and easily recognized class of persons. Already, by the 14th and 15th Vic., c. 19, the “Act for the Better Prevention of Offences,” persons found by night armed, or with house-breaking implements, or with their faces blacked, or in suspicious places, may be arrested, and the burthen of proof of innocent intention is cast upon the prisoner: so far some very small portion of the very thin end of the wedge has been got in.

We know that in suggesting these things, frequently as they have been suggested by some of the ablest and most astute men in these countries, we expose ourselves to the imputation of endeavouring to check the criminal by infringing the liberty of the honest, industrious, but poor man. Not a bit of it. We

know perfectly well that those who have devoted the labor of lives to the study of these principles of Prevention, and at the head of the cohort we may place Lord Brougham, consider all this talk and writing about infringing the liberty of the poor man, by our attempts to arrest the progress of the criminal, as simply and emphatically, as *Mr. Burchell* would call it, "Fudge," as we call it now, "Bosh." The man who should and would be most pleased to see the principles of prevention carried out fully, reasonably, and fairly, is the honest industrious poor man. Now he fears that in walking through the streets, going to or coming from their work, his children may meet with and become the associates of vicious companions, *well known to the police*. We know too how the honest poor dread the effects of this street association. We cannot forget that *Mr. Alfred Hill*, writing on *Dunlop's Act*, and the *Aberdeen Industrial Schools*, tells us, on the authority of our friend, *Mr. Thomson of Banchory*, that whilst the wealthy inhabitants contributed only £150 to the schools, THE WORKING MEN contributed £250, and why?—they stated, as *Mr. Thomson* writes:—"Before this school was opened, we were afraid to trust our children a moment out of doors alone; they were exposed to learn, and did learn, all manner of mischief; but now this school has cleared the streets of the little vagabonds who corrupted them. We are not now afraid to let them out, and therefore we support this school."

It is easy for a man sitting in his arm chair, with his daughters and sons singing, or drawing, or reading around him, to talk of infringing the liberty of the subject if such a system of prevention as above stated were adopted. It would be very hard indeed if *he* were carried off to the station; but if he were a poor honest man, with sons and daughters, and if he knew that *The Nobbler*, a good-looking house-breaker, lived next door, and was well known to the police, would he not wish that the police could be induced to take possession of the interesting and dangerous *Nobbler*. We believe that he would be quite satisfied to be arrested himself, as living in a suspicious neighbourhood, but knowing he *could prove his character*, provided he were sure of *The Nobbler's* removal, and feeling that with that removal there would vanish all danger that his daughter might become the house-breaker's trull, or his son the accomplice of thieves and burglars.

Much as the adoption of those measures of Prevention would

tend towards checking the spread of crime, it would be incomplete without that which has been so often and long sought, yet so frequently refused—the appointment of a Public Prosecutor. “I am ashamed,” wrote Lord Brougham, in his paper read at the Bristol Meeting of the National Reformatory Union, “that I have still to speak of prosecutors, voluntary, gratuitous prosecutors, as required to execute the law against criminals. There is no country but England in so rude a condition as to be without a public prosecutor; no country but England in which it is possible, for a trifling sum, to buy off a prosecution; and in which the first duty of the State is committed to, its highest office cast upon, private individuals—generally upon the very last persons on whom it should fall, the *parties injured by the offence*. When I quitted office in 1834, I had nearly accomplished the important object of obtaining the great advantage of a public prosecutor. The persevering efforts of Mr. Philimore have succeeded in making this important subject fully understood by the country, and in obtaining from the Government a pledge to bring forward a measure for at least removing part of the evil complained of.”

We do not think the case could be put stronger than this. After a man has been plundered and robbed by another, he is expected, having no hope of being reimbursed the money lost, to, as it is well said, “throw good money after bad” in prosecuting the offender. It must also be remembered, that very frequently the friends of the culprit come around the injured person, and all kinds of motives are urged upon him, inducing him to forego proceedings, which he eventually may do, because he thinks that to proceed will look like a desire for revenge, and this appearance will be the more strongly impressed upon the case, when it is known that nothing whatever can be gained in the way of cash by a prosecution, the whole cost of which must be borne by the prosecutor.

Thus it is that the private prosecutor is situated; urged to punish by a sense of outrage or injury done to himself; entreated by the friends of the offender to forgive him: harassed on all sides within and without, he knows not what to do, and he begins to understand how troublesome a dame that lady with the bandaged eyes can become.

A public prosecutor would save us from all these “fixes.” Friends could no more entreat him than they could entreat a judge; all the weepings of women and the implorings of men

would be useless, for the prosecutor would represent not an injured man, but an outraged law.

We are writing of private prosecutions; but when we come to consider the grave cases in which the whole polity of the State is concerned, the necessity for a public prosecutor is still more evident. We do not go back to Wainright's case, a case occurring over thirty years ago, and fully stated in the late Mr. Justice Talfourd's *Final Memorials of Charles Lamb*; we do not here produce other cases which we have heard from lawyers of great standing, proving clearly that a public prosecutor was necessary always, but *never more than now*, when Knowledge makes the murderer or the forger safe, as he fancies, in the commission of his crime, and Science steps in to aid his escape from the dock.

We do not take Palmer's case as an instance—it was *too* glaring—but we do take the escape of James Sadleir, and the hitch about arresting the murderer of Little, both Irish cases, as instances.

It was well known that James Sadleir was suspected, long before it was *proved*, that he was guilty. It was nobody's duty to sift the case in the early stage, but, day by day, the case developed *itself*. Then came the judgment of the Master of the Rolls—then came the speech of the Attorney-General for Ireland—we had Brutus in the Four Courts and Cassius in the House of Commons—and the whole question was stated in two lines of a ballad:—

“How James Sadleir boulted I'd like, faith, to know,
Was the Masther too quick or th' Attorney too slow?”

We all know, that from the time an Attorney-General is appointed, he has only two aspirations—one, that Providence will raise some Judge to a higher sphere—the other, that the Minister will raise *him* to the vacant bench. Add to this, that the Attorney-General is always pitch-forked in for some borough, and must attend to his Parliamentary duties. All these involvements have happened in England and in Ireland, over and over again, and therefore it is that very many criminals have escaped, because the man who should have looked closely into their cases had too much to do, and besides, *it was not his peculiar office* to look into the case, until brought before him by others.

In Little's case most of the examinations were taken before

Mr. Joseph William O'Donnell, a divisional justice. Harrington was brought before him ; Mr. O'Donnell gave every attention to the case ; there were strong grounds of suspicion that Harrington had murdered Little ; the case was remanded—but neither at the first nor second examination does it seem that anybody appeared for the crown, as prosecutor. It may have been said that Mr. Little had friends who entered their names as subscribers for large amounts, to form a fund for rewarding the informer who should disclose the perpetrator of the deed, and that they would in all likelihood, send counsel to the police office ; they do not appear to have done so ; Harrington is freely discharged, but there was no prosecution of those who formed the case against him, and perjury goes free.

From the first hour in which it was said that John Sadleir had poisoned himself, from the first hour in which it was stated that Little had been murdered, there should have been a public prosecutor to track every step of every man who could have been at all connected with either of these unfortunates. There is no need of Attorney-Generals, no need of Magistrates, no need of any officer, but a man who had *no* duty save *one*—that of inquiring into the facts, from the earliest to the latest, of every case of any moment brought before the police authorities, and of every case of a suspicious nature coming before the civil tribunals. We hope most earnestly that we shall never know the day when a magistrate will be considered as a prosecutor, sinking the honourable office which he now fills in the odious character of a persecutor ; yet one point is clear, that until a public prosecutor is appointed, the magistrate must exceed the strict scope of his duty, or the accused must be, as he now frequently is, discharged, though guilty, for want of legal evidence of his offence.

We regret that our space will not enable us to enter more at length into the other important topics contained in this most important book ; but the analysis of the contents, already given, will enable the reader to judge for himself of the valuable matter comprised in its wide range of subjects. With all the charges of 1853, 1854, 1855, 1856, and with that of March, 1857, our readers are acquainted, through the papers of this REVIEW, or through the Record, but to every reader we recommend the charge of October, 1845, with its sequel. The charge of April, 1848, on the Chartist Demonstration, is a beautiful specimen of judicial eloquence,

clothing the thoughts of a man proud of a land where *Liberté, Egalité, Fraternité*, mean what they express in all that a wise man can hope for in a Nation; and the sound sense of the Charge of January, 1855, on that intemperance of temperance, the Maine Liquor Law, is worthy of Sydney Smith.

We are happy to find that this book has been received with general approval by the Press of the kingdom; this must be somewhat of a triumph to Mr. Hill, as many of his opinions were met by dissent or disapprobation when first enunciated: but strong in the soundness of his views he went on, and time and "God's daughter, Truth," always back the right, and so we find, *Tant vaut l'homme, tant vaut sa terre.*

ART. X.—ALISON'S LAST.

History of Europe, from the fall of Napoleon, in 1815, to the accession of Louis Napoleon, in 1853. By Sir Archibald Alison, Bart., D.C.D. Vol. VI. William Blackwood and Sons, Edinburgh and London. 1857.

The volume now before us, the sixth of the continuation series, embraces a period of some interest to Irishmen. The great revolution which, in 1832, had destroyed the disgraceful borough system, and opened the representation to those who had a right to claim it, altered, in no unimportant degree, the constitution of the Lower House. Previous to that period, its members had been chiefly the nominees of the wealthy landed proprietors, who freely bartered their interest for pecuniary remuneration, but now that corrupt influence was, to some extent, counterbalanced by the admission of the great manufacturing towns to a voice in the election of candidates, by the disfranchisement of the rotten boroughs, which had brought ridicule upon the theory of a popular representation, and by the extension and adjustment of the rights of suffrage. And, though Ireland was, we think, unfairly dealt with, a due proportion of the representation upon any principle of allocation that could stand the test of argument having been in a jealous spirit denied her, at the same time, it must be admitted, that the changes in this respect were important improvements. The Melbourne Ministry having retired from office, Sir Robert Peel was summoned to take upon himself the formation of a cabinet. Having assumed the reins of government, he at once dissolved Parliament, and writs were issued for a new election. In England the agricultural interest secured for the Tories a small majority. In Scotland the liberals were successful; but it was the Irish elections which turned the scale against the minister. The judicious coalition of the Catholics, under O'Connell, with the liberals in the empire, secured a preponderance for the Reform party. On the assembling of the new Parliament, the first thing was to elect a speaker. On this question, as was anticipated, a trial of strength took place between the rival parties. Two candidates were proposed; Sir C. Manners Sutton was the government candidate, whilst Mr. Abercrombie was supported

by the opposition. The contest was close, the latter being elected by a majority of ten. It was, at first, supposed that Sir Robert Peel would resign after this defeat, but considering that his duty to his sovereign forbade such a step, he determined to hold office until an adverse vote upon some question involving a vital principle of ministerial policy should convince him of the inutility of endeavouring to carry on the government opposed by the majority of the popular representatives. Accordingly the Session was opened by a speech from the throne, in which the King, after lamenting the destruction of the two Houses by fire,* congratulated the country upon the commercial prosperity which was universal, but regretted the depression of the agricultural interest, and commended to the attention of the Houses the mitigation of the burdens on land-owners, and their distribution, more equally, over other descriptions of property. To the address, in reply, an amendment was proposed by the then Lord Morpeth, which was carried by a majority of seven, chiefly composed of the Irish Catholic votes. "Such," exclaims Alison, "was the gratitude which the Romish clergy and members evinced to the man who had endangered his own political character to open to them the doors of Parliament." This is simply clap-trap. No minister has any claim to demand gratitude for any concession that has been made to the Catholics of Ireland. Nothing has ever been accorded to us which had not been previously wrongfully wrested from us. Ministers may claim the applause of prudence for yielding what could no longer safely be withheld, but gratitude is another matter altogether, it may be felt, but cannot be claimed. For from the earliest period of Ireland's connexion with England, her character has been mistaken, her pride outraged, her hopes cruelly and foully betrayed. By the treaty of Limerick it was engaged the Catholics should be re-admitted to their former privileges, should have their property restored, and should have liberty to

* The circumstance which led to this disastrous accident is worthy of remark. The receipts and computations of the exchequer office had hitherto been recorded by means of tallies and counters. This absurd system being about to be discontinued, it was resolved that those primitive instruments of calculation should be destroyed. Accordingly they were huddled into carts, removed to the cellars of the Houses of Parliament and placed in the flues to be consumed. On the 16th of October, 1834, the burning began, for there were several cart-loads of them; but the flues becoming over-heated, a terrific conflagration burst forth, which in a few hours destroyed the building.

keep arms for their defence. Limerick surrendered. No property was restored, but further confiscations were made in behalf of the conquerors. In 1708, by an Act of Parliament, sons were enabled, by conformity, to rob their fathers; the most distant relations to rob their kinsmen of all their paternal property, and oaths were imposed, against which the Catholics had been protected by the Ninth Article of the Treaty. For nearly a century the most abominable system of penal laws was enforced. Education was prohibited, religion was proscribed, and at the hazard of their liberty they solemnized its rites, worshipping their God at the peril of their lives. No effort was made to free the Catholics from the active persecution which they suffered until, in 1778, the first instalment of our rights was accorded, but only when the arms of England were most unsuccessful in America, when the cause of the United States was becoming fearfully popular in Ireland, and immediately after the news arrived of General Burgoyne's defeat at Saratoga. In '88, another attempt was made, shortly after American independence was recognised, and when 60,000 men in arms had held their convention in Dungannon to petition for redress of grievances.

There was a third in '91, soon after the consummation of the French Revolution, by the establishment of the convention, and when corresponding societies were widely established. And the fourth in '93, immediately followed the French decree of fraternisation, and the bloody tragedy of the king's execution, which had taken place the previous Jannary. In the years immediately preceding the Union, great hopes were held out to the Catholics that this measure would be the precursor of their emancipation from the remaining disabilities under which they laboured. But foully were they cheated of the one great benefit held out to them in return for that act which deprived this country of the last jewel of her ancient crown, robbed her of her parliament, and effaced her name from the catalogue of nations. It is true, that Catholic Emancipation was not *directly* promised as a condition of the Union. But the Irish were encouraged to deceive themselves into the belief that it was so, and by government itself, the Legislative Union and Catholic Emancipation were always spoken of to the Catholics of Ireland as parts of one great policy. Mr. Pitt, in his reasons for his resignation, states that he considered the measure necessary to complete the benefits likely to result from the Union. And he pro-

ceeds so say, "We felt this opinion so strongly, that when we met with circumstances which rendered it impossible for us to propose it as a measure of government, we felt it equally inconsistent with our duty and our honor, any longer to remain a part of that government. What may be the opinion of others I know not, but I beg to have it understood to be a measure which, if I had remained in government, I must have proposed." No one is ignorant of the memorable phrase in which the Duke of Wellington announced the absolute necessity of conceding Emancipation.

We respect the consistency of Pitt, who resigned office rather than violate what he considered a condition of the Union; but our gratitude is due to him alone, whose master mind organised that unanimous declaration of popular opinion, which demonstrated to the British Minister the impossibility of longer refusing to accede to the popular demand, and forced him to admit his inability to avert the evils of a popular outbreak, save by conciliating the popular will. To that great man who first aroused the dormant energies of our people to a consciousness of their power, and led them on to that bloodless victory, before which the ensanguined trophies of earth's greatest conqueror sink into insignificance—to O'Connell, the prophet of the people, who brought them forth from darkness and captivity to light and hope, our gratitude is due, not to the minister who granted Emancipation when the alternative was rebellion. Notwithstanding this second defeat, the Prime Minister still held on, alleging that no vital point involving the general policy of the government, had yet come on for discussion; but soon he was deprived of this miserable excuse. On the 30th of March, Lord John Russell moved: "That the house do resolve itself into a committee of the whole house to consider the temporalities of the Church in Ireland, with the view of applying any surplus of the revenues not required for the spiritual care of its members, to the general education of all classes of the people, without distinction of religious persuasion." It would be presumptuous in us after the series of learned and powerful articles which have been published in this Review, to offer any commentary upon what has not inaptly been termed the "English Folly-Fort." Nevertheless we cannot allow this opportunity to pass without recording our own abhorrence of this disgraceful infliction upon the Catholic population of this our country. In no other country in the world was such a

system ever sought to be established; yet England, with all her boasted toleration, overflowing with an obtrusive philanthropy, burning with an exaggerated zeal for the conversion of anonymous savages in unknown islands, permits the national character to be obnoxious, to the just censure of supporting by force of law and by force of arms, a church which swallows up the profits of our industrious poor, giving in return for the immense sums drained from our resources, nothing but insult and indignity.

It may be advantageous to maintain by large endowments a State Church, but then it should be the church of the majority, and not of the minority; it should be an institution for the preservation and communication of religious knowledge, and not a great political engine for strengthening or diffusing government interest; it should be composed of a set of religious teachers, and not of a body of political fanatics; a set of men laboring for the spiritual welfare of their flocks, and receiving their hire from those for whom they labor. But it is bootless now to speak of these things, they have already many times been discussed with eloquence and learning; they have at length been in some measure alleviated; and let us hope that the day is not far distant when deprived altogether of state support, the Protestant Church of Ireland may be found to base its claims to the adhesion of the people, upon its own intrinsic worth, and then — what then? The Ministry having opposed this motion, were again defeated, and it was expected that they would at once resign; but on consultation it was resolved that they would make another effort to retain their position, and in the event of failure, resign. On a motion by Lord John Russell, arising out of the former one, the Ministers were beaten by a majority of 27, and in accordance with their resolution they tendered their resignation, which was accepted, and Lord Melbourne again assumed the reins of power. In his remarks upon this endeavour to free the Catholics from the intolerable burthen under which they labored, Alison displays an amount of ignorance in reference to the subject of which he pretends to treat, disgraceful to a man who has enjoyed the benefit of a liberal education, and which is calculated, by destroying our confidence in the extent of his information, to impede the success of his mission as a historian. In a former volume we had an inkling of his ideas upon this point, but we had no notion that it was so peculiarly his specialité as to be

the universal panacea which he would prescribe for all the evils with which Ireland may be afflicted. But we fear it is so. As in the farce, the Quack exclaims, "Don't talk of nature, or prejudice, or habit, sir; don't talk to me of your likings or aversions, I won't listen to a word of them. Whatever ails you—inflammation, heartache, plethora, disappointed hope, irritability or languor, over-diet or too little, I will engage to cure you with a single dose in four-and-twenty hours!" So Alison is prepared with his "single dose" to cure all the evils of Ireland, and that single dose is Emigration. "What Ireland required," he says, "was not the abstraction of £200,000 a-year from the church property, but the removal of two million emigrants from its shore. What was likely to heal its wounds was not a change which would stimulate the activity and augment the ambition of a foreign ecclesiastical power, but such a vigorous administration of justice as should stop the withering progress of agitation, and permit the entrance of domestic capital and enterprise, already overflowing in the neighbouring island." These opinions speak for themselves. It is the peculiar misery of a misgoverned country to be continually exposed to every sort of delusion which amateur legislators may devise, ever to be beset with recommendations of various and incongruous kinds, and in every case the promised remedy is to be complete and instantaneous. Against a free emigration to any part of the world no one can be fool enough to raise an objection. A facility of emigration would be of most important utility to every portion of the United Kingdom, but we object to the improvement of Ireland being based upon the principle that the small occupiers must be dispossessed as the preliminary step to our regeneration. No; give them leases—give them confidence—give them what is their right, and they will soon raise produce enough for all. In the nation's heart is a steady faith, that He who gave them this beautiful though desolated land for a dwelling, will yet redeem both it and them; for they remember the promise of the olden time: "Dwell in the land and verily ye shall be fed." Destroy party feeling; subvert that accursed ascendancy of religion over religion, and then will be established—in the personal independence of the people—the absence of subservience of one man, or one class to another, the habitual sense of social freedom pervading every part of the community—a lasting guarantee for national integrity, power, and prosperity.

The Whig ministry at once set themselves to the task of introducing a measure of the very greatest advantage, and one which had been loudly called for—we mean the Corporation Reform. A corporate reform had already been introduced into Scotland, based on the principle of parliamentary reform, and which settled the matter by the simple rule that the parliamentary electors of every borough were to be the municipal also. The old close system was effectually abolished, and more liberal and progressive principles were successfully established in its stead. In England many of the corporations had come to be the private property of a few individuals, and, like the rotten borough system, were utterly inconsistent with the principles of the Reform Bill. A commission had been issued by Earl Grey's ministry, and they presented a report which strongly condemned the existing system of corporate government; this report concluded thus—"We therefore feel it our duty to represent to your Majesty that the existing municipal corporations of England and Wales neither possess nor deserve the confidence of your Majesty's subjects, and that a thorough reform must take place before they can become what we humbly submit to your Majesty they ought to be, useful and efficient instruments of local government." Founded on this report, the government brought forward its plan of corporate reform, of which the following are the leading incidents :—

It was very sweeping—more so in some respects than the Scotch Municipal Bill had been. The number of boroughs embraced in the bill was 178, London being excepted, for what reason does not very distinctly appear, unless it was that Ministers were afraid of endangering their small majority if they interfered with the numerous vested interests wound up with its incorporations. Of the 178 boroughs 93 were parliamentary, and their boundaries remained fixed as they had been by the Reform Bill—the boundaries of the remaining 85 stood as they had been before until Parliament should direct an alteration. Each borough was divided into wards, varying in number according to its size: Liverpool was divided into sixteen, others into ten or twelve. The government of boroughs was vested in a mayor and town-council; but they were to be elected by all persons rated to the support of the poor in them for the three preceding years, and residing within the boroughs, or within a circuit of seven miles around. The mayor was to be elected annually for one year only, he being, during his mayoralty, a justice of peace for the borough and adjoining county. The councillors were to be elected for three years, one-third going out annually to make way for others similarly elected.

All the old modes of acquiring the freedom of corporations, as by birth, apprenticeship, &c., were to be abolished, as also all exclusive rights of trade or carrying on handicrafts within their limits. The town-councils were to become, by the statute, trustees of all the corporate and charitable funds administered by the old corporations, with power to appoint committees for their management, and to choose persons, being burgesses, for their directors. The police was to be entirely under the direction of the town-councils, but not the licensing of public-houses, which was to be intrusted to the justices. With respect to the administration of justice, to 129 of the boroughs a commission of the peace was to be granted, and the town-councils in them were to be empowered to recommend the persons to be put into the commission of the peace. The remaining fifty-four might have a commission on applying for it from the Crown. In the larger towns applying for quarter sessions the chairman was to be a barrister of not less than five years' standing, appointed by the Crown.

Apart from the technical details essential to give a legal view of this most important bill, the leading features of it, in a political and general point of view, were these:—1. The choice of town-councils and magistrates was intrusted to a new electoral body, created for that special purpose, of all persons rated for the relief of the poor, which was equivalent to household suffrage; 2. The qualification was *uniform*, and there was no representation of classes, as guilds or incorporated trades; 3. The old freemen were disfranchised, and all acquisitions of the municipal suffrage or rights of freemen by any other means than being rated for the poor-rates, were for the future abolished, though the rights of existing freemen were saved; 4. Publicity was enjoined upon the administration of all trusts and corporate funds, which were entirely devolved with the general management of the boroughs; but—5. There was no money or other qualification for councillors; and—6. The administration of justice was still reserved to the Crown, which appointed the recorders and justices by whom it was to be carried on, the town-councils being only entitled to recommend persons for these offices.

The abuses which had existed in the old corporations were so well known to be real that Sir R. Peel did not contest the principle of the bill, but took his ground on some of its details,—that which excited most debate was the disfranchisement of the freemen. This we regard as one of the most vital principles of the bill, and we regret its abandonment as a desertion of those very principles upon which the corporate reform was recommended to the notice of the houses. For upon what principle of popular representation it can be maintained that a body of men who contribute nothing to the finances of the country should have a voice in the selection of those, who are to allocate them, we are really at a loss to determine. Besides it is opposed to the principles of

good government to permit an irresponsible body, having little or no interest in the choice of those who are best calculated to carry out measures likely to tend to the development of the resources and the furtherance of the interests of a constituency whether those measures involve the existence and stability of a government, or the adjustment of some trifling interest connected only with some insignificant locality. It is a monstrous thing to see in some cities we could name the wishes and feelings of a large and respectable body of citizens ignored, and their desire as evidenced by their votes rendered unavailing by a power hostile to those enactments by which the interests of the majority might be consulted, and whose influence is freely bartered to that party which has the will and the power to value at their own estimate the weight of their potent suffrages.

To see men at the approach of elections suddenly dug up from the obscurity in which they are usually justly enveloped, dragged from the poor houses in which they are the constant recipients of eleemosynary relief, and invested with the terrible responsibility of choosing a man who will faithfully discharge the high duties of the responsible office, of whom until they come to the hustings they know absolutely nothing, save that a certain standard of remuneration for the trouble and annoyance of being disturbed in that retreat where it was hoped rumours of election contests would never reach them more, had been agreed upon by the magnates of the band, and readily adopted by the embryo repository of the collective wisdom of his supporters. Nevertheless this article of the bill was opposed by Sir R. Peel, who was, however, defeated; the bill passed the Commons, and was sent up to the Lords; here these illustrious hereditary legislators introduced the amendments which had been proposed with Sir R. Peel's sanction in the Commons and were successful, and the bill thus altered was sent back to the Commons, who had the weakness to yield, and accepting the amendments the bill passed on 7th September, and received the royal assent. The bill for the regulation of the Irish Church was again introduced, again passed the Commons, and was again thrown by the stupid bigotry of the Peers. In the debate on this question in the lower house, Sir R. Peel stated the revenues of the established church in Ireland over and above all deductions to amount to £364,863 sterling. Now supposing this statement to be correct, which we

do not for a moment mean to admit, but even supposing it to be correct, and we like to take our figures from our opponents, is it not a monstrous anomaly that six millions four hundred and twenty seven thousand seven hundred and forty-two people should be compelled by law to maintain at such a cost, a church which even on the shewing of its own champions did not then amount to more than 853,064 members, and certainly the numbers, notwithstanding the gigantic efforts which the proselytisers have made, notwithstanding the lies which they annually print and circulate to gull their wealthy and ignorant dupes in England, the number has not increased since then, whereas the Catholic population is daily becoming more numerous, and embracing the wealth, talent, and respectability of the learned professions and the mercantile classes of the community. Still this incubus broods upon the energies of the people, and by keeping up the old feeling of effete ascendancy, hinders all combined action for the common good.

In this session a motion was made by Mr. Finn for an enquiry into the Orange Lodges of Ireland, which was so far successful that all these societies were dissolved. Alison's description of these institutions is worthy of being noted. He denominates them "a system of mutual defence for the protection of Protestants often scattered in small numbers through multitudes of hostile ribbonmen and Catholics." An ordinary reader unacquainted with the real objects of these societies might be induced to consider them perfectly harmless, nay, useful bodies. But those who are aware of the working of these societies, the principles upon which they were founded, the manner in which they were conducted, and the frightful evils which sprung from them, will have little hesitation in proclaiming them as the most dangerous instruments of fanatic bigotry. Their meetings were always characterised by the utterance of the most intolerant doctrines, and their primary object was the extirpation of the Catholic population of these countries. Their bacchanalian orgies, which were not unfrequent, usually terminated by frightful scenes of massacre, in which peaceable and inoffensive Catholics were the victims of their frantic fury. Imagine a body of men excited by speeches of a most inflammatory nature against pope and popery, intoxicated by the numerous libations poured forth to the glorious, pious, and immortal memory, and the eternal damnation of the pope, the pretender, and the papists, reeling along the streets of a Catho-

lic village, indulging in the most violent party cries, and challenging in the spirit of drunken bravado, every bloody papist to come out and be shot, setting fire to some unfortunate peasant's hut, and if the inmates, suddenly roused from slumber, heedlessly rushed out to discover the authors of the conflagration, visiting upon them the frightful vengeance which they had proclaimed against the entire sect. Need we mention in illustration of these evils any other incident than one which occurred since the revival of these lodges in this country. A noble of the land, the chief of the party, invites a number of his followers to celebrate the anniversary of one of the festivals which they hold in particular veneration. They come with arms in their hands. They regale themselves, listen to edifying speeches on Protestant ascendancy, and on their return, in battle array, fall upon unarmed and unprotected Catholics and ruthlessly destroy them. And this is the mutual protection of which Alison speaks. Surely, historians seem to have entered into a league for the purpose of defaming the character of the Catholics of Ireland, in order that they may thus be rendered objects of scorn, contempt and abhorrence to those who have the power to alleviate their sufferings or increase their misery. That when the time may come—should it ever arrive—in which a ministry may consider it advisable to repress their aspirations and restrain their progress towards the full enjoyment of their birth-right, bequeathed from bleeding sire to son, there may be found none to mourn their fate, none to deplore their destruction. The manner in which we Irish are always spoken of by English historians reminds us of a story we once read. It is related in the quaint old style of such fables, but there is a truthfulness in the moral which invests it with a charm which the most eloquent narrators of pointless fiction can never hope to acquire. When men and lions were on terms of friendship the proprietor of a lordly mansion invited a lion who dwelt in a neighbouring forest to visit him. The lion consented, and on an appointed day arrived. The host received his guest with all the courtesy which the latter was entitled to expect and the former was well skilled in displaying. He led him through his vast halls, where art multiplied itself in various forms. But what most attracted the attention of the lion was, that in the pictures, the statuary, on the drinking cups, constantly recurred scenes in which men and lions were represented as engaged in deadly combat, and always with the same result, for

the men were invariably the victors, the lions the conquered. Having shewn his guest through his various saloons and galleries, the master enquired of him how he liked his pictures and statues. "Very much," replied the lion, "but in many of them I find similar scenes represented, in which my race and your's are the chief actors, and the superiority always rests with your's. Now, sir, let me tell you," continued the lion, "the result had been different were lions the artists." Thus we are misrepresented, treated as aliens in blood, in language, and in religion, and institutions which are established, avowedly established, for the annihilation of our liberties, the destruction of our lives, and the extirpation of our religion, are designated as societies "for the mutual protection of Protestants," and societies for the administration of soup and sanctification. The enquiry then instituted shewed that even the army was not free from the infection. But these latter were suppressed and not revived, whilst the Orange Lodges of Ireland are again in full vigour, and annually indulge in the superstitious mummery of worshipping their patron Saint, Billy.

When parliament opened on the 14th February, 1836, the first measure which engaged the attention of the House of Commons was the reformation of the Irish Corporations. Already had measures of corporate reform been conceded to the demands of the Scotch and English representatives. The reports upon which these measures were founded displayed a deplorable departure from the original intention of such establishments. But in these demands there was nothing of a sectarian character. They were merely the result of that desire for free institutions and popular government which caused the passing of the Parliamentary Reform Bill, and which that measure strengthened and enlarged. In Ireland these bodies were established for the ostensible purpose of sustaining Protestantism, but really for the purpose of uprooting the Catholic population. They of course steadily refused to admit a Catholic into any of their bodies, and they even went so far as to exclude the great majority of Protestants of wealth, respectability, or intelligence, who were known to entertain any liberal views in favour of their Catholic brethren. The Commission which was issued spoke strongly against the existing system and in favour of a reform. The Report says "that the incorporation provided no means and contained no constituency by which the property, the wishes, and the interests of the whole local community

might secure a fair representation in the corporate body. Their members frequently consisted of the relations or adherents of particular families or individuals, and the principles of their association, and those which regulated admission and exclusion, had rarely any connection with the common benefit of the district or the wishes of its inhabitants. As at present constituted they are in many instances of no service to the community, in others injurious, in all insufficient and inadequate for the proper purposes and ends of such institutions." Proceeding on this Report Mr. O'Loghlen, the Irish Attorney General, introduced a bill for the better regulation of the Irish Corporations.

He stated, that though a great many corporations had perished since the Union, there were still sixty in full vigour, and eleven in a state of decay. These seventy-one corporations including within their territories 900,000 persons, while the number of corporators was only 13,000. Of these 13,000, no less than 8000 were to be found in four of the larger boroughs, leaving only 5000 corporators for the remaining sixty-seven corporations, containing above 500,000 inhabitants. The paucity of these corporators was not redeemed by their character. Since 1792, the corporations had been nominally open to Roman Catholics, but not more than 200 have been admitted. In Dublin they proceed on the avowed principle of excluding not only all Roman Catholics, but the great majority of Protestants, of wealth, respectability, or intelligence. The sheriffs of that city are chosen by the corporate body, and they always put persons connected with the incorporation first upon the list, and it was so managed that the Catholics were always in a minority. In a word, the management of corporations, and the administration of justice in their hands, is nothing but a tissue of injustice, partisanship, and corruption.

"The remedy proposed for these evils is to put corporations under effective popular control, as has already been done in England and Scotland. In seven of the larger boroughs, comprising Dublin, Cork, Limerick, Kilkenny, Belfast, Galway, Waterford, it is proposed to make the municipal coextensive with the parliamentary occupants, and to include every £10 occupant. This rule, however, if applied to the smaller boroughs, would give much too small a constituency. In these boroughs it has already been provided, by an act passed in 1828, that all householders inhabiting £5 houses and upwards shall have a vote for paving and lighting commissioners; and it is proposed to apply in them the same principle to the municipal franchise. In the larger boroughs there will be a division into wards. The aldermen are to be elected, not by the councillors, but the inhabitants, and to consist of those who at the pole have the greatest number of votes; one half of the councillors and aldermen to go out of office every three years. A commission of the peace to be issued to the smaller boroughs, if the Lord Lieutenant saw cause; in the larger, the mayor for the time being to be the magistrate of the borough. In the seven larger boroughs, the council to elect sheriffs, subject to the approval of the

Lord Lieutenant; the management and control of the whole corporate funds and patronage to be vested in the town-council. There is only one way in which it is possible to pacify Ireland, and that is to promote a real union through an amelioration of her institutions, by treating her fairly, by giving her equal privileges and equal rights with England. Deny her that, and the Union is at an end."

The necessity for this measure is too clearly proved by the report of the Commissioners to require to be expatiated on. The privileges of self-government in our cities and town is of vital importance to the well-being of the nation. It is not by the consolidation or concentration of powers, but by their distribution, good government is affected. The municipal franchises are known to be as necessary for preserving liberty as they are useful in obtaining it. "The general term of the charters," say the Commissioners, "and the purposes of local utility, for which they appear to have been granted, import that *the inhabitants* of the corporate towns were the class to which they were addressed, as the objects of royal care and protection, and the proper administrators of the estates and functions conferred on the municipality." It is thus made manifest that the original purpose for which these institutions were framed has been wholly lost sight of, that the vital principle upon which they were founded has been set at nought, that the functions which at first were delegated to the freemen and householders of towns, have been audaciously usurped, while the maladministration of justice and the profligate misapplication of public funds to private purposes have served to aggravate the burning sense of wrong which has been excited in the breasts of our outlawed people. It would be tedious to enter upon a detailed statement of the evils which existed under this system. Such a recital would be but presenting extracts from the able report which the Commissioners presented to Parliament, and those who desire the information will readily have recourse to the report itself, and to those who need it not our remarks would be trite and uninteresting. For five long years were the people kept in suspense, five years during which England and Scotland were enjoying all the benefits of this priceless boon. And even when it was permitted to pass into a law, it had been so shorn of its fair proportions, so mutilated by the lords, that it must have been difficult for its authors to recognise their original production. With wonderful wisdom these heaven-born legislators, while granting what should have been a measure of relief, in their dwarfish magnanimity absolutely prohibited a Popish Lord Mayor to

wear his robes of office in the chapel. But nevertheless we rejoice at its passing, even in its present state. The Irish church bill again passed the Commons, and was rejected by the Lords, and the consequence was, that the people, seeing their claims contemned by the Upper House, conceived a natural hatred for these hereditary humbugs. But every other subject of complaint was swallowed up in the loud clamours of the people against the collection of the tithes. Nothing else was thought about, read about, or talked about. Frightful scenes of carnage took place at various towns in the country, but it will be sufficient to mention the massacre of Newtownbarry.

The parsons resolved to have tithes no matter at what cost, and the first result of this resolution was the unfortunate transaction which we are about to mention. The cattle of a farmer named Doyle, were, on the 23rd June, seized for tithe, and although the sum claimed did not amount to more than £2 6s. the cattle were advertised to be sold. The day selected for the sale being market day, a large crowd assembled to witness the sale. The cattle were "put up," and 190 yeomanry, provided with 50 rounds of ball-cartridge each, were drawn up in line adjacent. Some children, as is usual, began chaffing the "*Lobsters*," and some had the temerity to fling stones; the irascible soldiery fired, and when the smoke of the volley cleared away fourteen individuals were found stretched lifeless, and twenty-six wounded. The most horrible incident of this horrible transaction was that a woman in the family-way was killed, and the ball, tearing its way through her body, left the bleeding remains of herself and offspring exposed to view.

These scenes were often repeated. At Skibbereen thirty persons were killed in the street, the parson crying out, "my tithes or blood." But, notwithstanding these massacres, the people still refused to pay the tithes, and by their determination and unanimity, were finally successful. Mr. Secretary Stanley, in '34, stated, that in spite of the efforts that had been made to collect the tithes, by the aid of military and police, they were only able, out of arrears to the amount of £60,000, to get £12,000, and that at a cost to the county of £27,000. In the summer of '34 the Grey Ministry fell, that of Lord Melbourne succeeded it, which yielded to that of Sir Robert Peel, which split in its turn on the Irish difficulty, and when Lord Melbourne again was in power, and tried to adjust this grievance, he was opposed by the Tories. In the debate on this subject, Lord Lyndhurst had the bad taste to refer to the

Irish Catholics as "*Aliens*." This was, if not a crime, certainly a mistake which, in the estimation of some, is considered more material; but, Mr. Sheil, in a burst of impassioned eloquence, administered to him a well merited rebuke. We give an extract from the speech, which we consider well worthy the attentive perusal of those who are, alas, too apt to question our loyalty, despise our courage, sneer at our patriotism, and trample on our religion.

-“The Duke of Wellington,” said he, “is not a man of sudden emotions; but he should not, when he heard that word used, have forgotten Vimeira, and Badajoz, and Salamanca, and Toulouse, and the last glorious conflict which crowned all his former victories. On that day, when the destinies of mankind were trembling in the balance, when the batteries spread slaughter over the field, and the legions of France rushed again and again to the onset, did the '*aliens*' then flinch? On that day the blood of the men of England, of Ireland, and of Scotland, was poured forth together; they fought on the same field; they died the same death; they were stretched in the same pit; their dust was commingled; the same dew of heaven fell on the grass that covered them; the same grass sprung from the soil in which they reposed together; and is it to be endured that we are to be called aliens and strangers to that empire for whose salvation our best blood has been shed?”

The effort to arrange this most complicated subject was again defeated by the Lords.

The next question which occupied the attention of the Houses was, “The Poor Laws.” In England, till the time of Henry VIII, the poor subsisted entirely upon private benevolence, and the charity of well-disposed Christians. By the Common law it was provided that the parish priests and rectors should sustain the poor in their respective districts, and it was enjoined on the clergy, by their bishops, “to set apart the first share of their dues for the repairs and ornaments of the church, to distribute the second to the poor and the stranger, with their own hands, in mercy and humility, and to reserve the third part for themselves.” Thus the providing for the poor became one of the great duties and uses of the Church. Nor in any other hands could it be so fitly lodged. For the peculiar duties of the priesthood affords many opportunities of becoming acquainted with destitution concealed from the broad glare of day, and gives many facilities for relieving the wants of deserving poverty.

The monasteries, too, distributed daily large alms, as well to the way-farers as to those who dwelt in the neighbourhood. These monasteries had large estates. They treated their tenants well. Even Mr. Macaulay unwillingly admits the beneficial effects of their influence. Independently of these monasteries, there were founded asylums where age might find a refuge for its declining years. To one only of the many such establishments shall we refer. The hospital of Saint Cross, founded and endowed by a Bishop of Winchester, for the maintenance of forty-eight decayed gentlemen, with priests, nurses, and other servants, to attend on them; besides it made a provision for a dinner every day for the most indigent men in the city. These met daily in the hall, called "The hundred men's hall;" each had a loaf of bread, three quarts of small beer, and "two messes" for his dinner, and they were allowed to carry home what they did not consume on the spot. But when the monasteries were destroyed by Henry, and their revenues confiscated, the persons to whom they were allocated, either from abhorrence of the "mummeries of superstition," the belief in the inutility of good works, or the claims of a numerous family, discontinued the practice which the monks had always followed, and the consequence naturally was, that poverty overspread the land. To correct this evil many statutes were passed by Henry VIII., and Edward VI, but it was not until the enactment of 43 Eliz. c. 2 (which is generally considered the foundation of the modern poor law), that any regular system was established to supply the requirements of the poor, consequent upon the destruction of their former asylums. By this statute it is provided that the churchwardens of every parish shall be overseers of the poor, and that, besides these, there shall be appointed, as overseers, two, three, or four, but not more, of the inhabitants, such last-mentioned overseers to be substantial householders, and to be nominated yearly in Easter week, or within one month after, by two justices dwelling near the parish. The management of the poor was long left to the overseers of the respective parishes, but these officers, when from various causes their services became onerous they were rarely performed to the satisfaction of the public, and various measures were, from time to time, devised by the legislature for the improvement of the practical system.

By statute 22, Geo. III. c. 83, parishes were authorised, by the consent of two-third parts, in number and value, of the

owners or occupiers, with the approbation of two justices of the peace, to appoint guardians to act, in lieu of overseers, in all matters relative to the relief and management of the poor, and also to enter into voluntary unions with each other for the more convenient accommodation, maintenance, and employment of paupers. Then came "The Select Vestry Act," 59 Geo. III. c. 12. But these new methods, though founded to be beneficial, were, upon the whole, not attended by results sufficiently effective. Meantime evils arose from mismanagement. The negligent and injudicious administration of the parochial funds which prevailed in various parts of the kingdom, had the effect of withdrawing from the impotent poor part of the provision intended for them by law, and wasting it on those who were able but unwilling to work; and this led to the encouragement, among the lower classes, of idleness, improvidence, and vice. Besides, the duty of executing the poor-law being left in every instance to the parish itself which stood in no subordination, and owed no deference to any external authority, reforms suggested from without seldom met with much attention, and little benefit was derived from any example of superior management exhibited in other part of the kingdom. Under these circumstances Parliament recommended, in the year '33, the issuing of a royal commission for inquiring into the state and administration of the laws relating to the poor. The report of the commissioners exposed the evils of the existing system with great ability and effect, and the 4 and 5 Wm. IV. c. 76, commonly called "The Poor-law Amendment Act," was enacted. By this measure the administration of the parochial funds, and the management of the poor throughout the country, were placed for a period of five years under the superintendence and control of a central board, called "The Poor-law Commissioners," who had power to regulate the conduct of the parish authorities in all matters of that description. This central body was aided by a certain number of assistant Commissioners. This commission was subsequently extended to the year '47, and then superseded. The happy results of this series of legislation became so apparent that the paternal regard, which is so sweet and commendable, of English legislators for Irish prosperity induced them to admit her into a participation of those blessings they themselves had already experienced. Accordingly a Royal Commission was issued to enquire into and report upon the state of the poor in Ireland. At the head of this commission was one Mr. Nicholl,

who gave a dreadful account of the state of the country. Alison thus speaks of this active commissioner—"Fortunately for the cause of humanity, and the ultimate interests of prosperity in Ireland, the gentleman at the head of it the Commission was eminently qualified, by his knowledge and abilities as well as his ample experience of the poor-laws, under the new system, to discern *rapidly* the real state of the facts. His commission bore date the 22nd of August, 1836, and before Parliament rose he had collected such a body of information as was entirely decisive of the question, and threw more light on the subject than all the previous debates in Parliament had done." In reading that extract we were astonished to find that Alison had omitted to put *rapidly* in italics, for in accordance with the practice of those who adopt what Disraeli calls the "forcible feeble" style of composition, he very often in the course of his history puts whole sentences into italics; and, certainly, there never was an instance in which so good an opportunity occurred for the use of italics, for it is rarely our good fortune to find a royal commission, or commissioner, collecting his facts, making his enquiries, settling his report, clean-copying it, and presenting it, in the short space of nine weeks. "Rapid!"—we think he was. A Yankee's manner of "doing" a country or a city is child's play to this rapid investigation. "The faggot of French sticks" was certainly "got up" in a very short space of time, and contained a large amount of information, if one could rely upon its credibility. The author of this last-mentioned book tried his hand on Ireland, and with a facile fecundity produced, in a fortnight (of which time one week was occupied in copying his notes and correcting the press), some stunning information "*de omnibus rebus et quibusdam aliis*," never dreamt of in our philosophy. But that a report upon a point affecting the property of one class, and the existence of another—a report upon which was to be founded a measure intended as remedial—should have been concocted in so incredibly short a time shews, we think, how very little the welfare of this country was consulted, and the result proves this fact plainly—

"Ireland is now suffering under a circle of evils," says the commissioner, "producing and reproducing each other: want of capital produces want of employment; want of employment, turbulence and misery; turbulence and misery, insecurity; insecurity prevents the introduction and accumulation of capital, and so on. Until the circle is broken, the evils must continue, and probably augment. The first thing to be done, is to give security that will produce and invite capital, and capital will give employment.

But security of person and property cannot co-exist with general destitution; so that, in truth, the drainage, reclamation, and profitable cultivation of bogs and wastes, the establishment of fisheries and manufactories, improvements in agriculture, and in the general condition of the country, and, lastly, the elevation of the mass of the people in the social scale, seem to be more or less contingent upon establishing a legal relief for the destitute."* He further reported, that no less than 2,385,000 persons in Ireland are in distress, and require relief, at least thirty weeks in the year; that themselves, their wives, and children, are absolutely compelled, however reluctant, to beg; and that mendicancy is the sole resource of the aged and impotent classes of the poor generally, whereby encouragement is given to idleness, imposture, and crime. All this obtained in a country where the landed rental was £18,000,000 a-year, being 250 per cent. more than that of Scotland! Such was the state of a country, as brought out by their own commissioner, for which Government and its Liberal patriots had hitherto resisted all motions for a poor-rate, and for which they thought the appropriate remedies were, to divert £100,000 a-year from the Church to education purposes, and to give every starving householder paying £5 a municipal vote!

In a very able article in the last number of this Review, from which we beg leave to make an extract, the reports of Mr.

* "Capital has increased in Ireland, but population has increased still more: and therefore the great body of the people remain wretchedly poor notwithstanding the growth of public wealth. The extreme subdivision of land tends to the same result; the soil, fertile as it naturally is, becomes exhausted by incessant cropping. Except in the grazing districts, farms of a hundred acres are almost extinct. There being no legal provision for the destitute, and the sub-division of land into small holdings having destroyed the regular demand for labour, *the occupation of a piece of ground is to the peasant the only means of subsistence*. Land to them is a necessary of life. A man cannot obtain a livelihood as a day-labourer; he must get a plot of ground on which to raise potatoes, or starve. Mendicancy is almost universal, and has therefore ceased to be disgraceful. It is not disreputable to appear wretchedly clothed, or without the decencies of life. Drunkenness is much more common among the Irish than in England. Notwithstanding the evident poverty of the people, the use of whiskey and tobacco is excessive, and is said to be increasing. Much of the disorders and violence which prevail may be traced to this source. There is a depression of feeling, morally and personally, among the peasantry; they have no pride in, or desire to better their condition. Their desultory habits are very remarkable. They postpone any business, even the most necessary to the safety of their little crop, to a fair or a market. Their own work is soon done, or they think may be soon done; hence arises a total disregard of the value of time. At present, *the burden of the poor falls entirely upon the poor*; the higher classes generally, and the absentees entirely, *escape it altogether*. The poor at present are the sole providers for their own necessities each out of his little holding. Hence the agrarian outrages to prevent their being deprived of them; and hence the kind of famine which annually occurs in Ireland, between the going out of the old crop and the coming in of the new."—Mr. NICHOLL'S Report, Nov. 23, 1836; *Ann. Reg.* 1836, pp. 63, 66.

Nicholls, now Sir George Nicholls, are very severely dealt with, and justly, for with all the insolence of ignorant presumption, this K. C. B. had, in his Report of '36, the hardihood to indulge in assertions and prophecies calculated to mislead the framers of the measure; and they did, in fact, mislead, for subsequent events have proved that the assertions were groundless, and to the present day the prophecies remain unfulfilled. He says:—

It appears then, I think, that a poor-law is necessary as a *first step* towards bringing about improvement in the habits and social condition of the people. IN TRUTH *the reclamation of bogs and wastes—THE ESTABLISHMENT OF FISHERIES AND MANUFACTURES—Improvements in Agriculture and the general condition of the country,—and lastly, THE ELEVATION OF THE IRISH PEOPLE IN THE SOCIAL SCALE,* appear ALL CONTINGENT UPON ESTABLISHING A POOR LAW!!!"—*Report of 1836.*

The reviewer thus comments upon these speculations and predictions:—

"The most superficial observer of the present state of Ireland—now twenty years after the foregoing predictions were given to the admiring public of these kingdoms—will be able to estimate their miserable want of value. The mendicancy that was to be suppressed or to disappear of itself, is as rife as ever, nay in the opinion of many, is *more* rife along our streets and our roads than ever. The burthen of relief of the poor which as this pompous and egotistical and emptiest of theorists, informed us, was to be lightened to the poorer classes, and more equally shared by the higher, is heavier upon the former than ever. Formerly they had to give, and they gave in obedience to the duty positively inculcated upon them by their religion. Now they have, *in addition*, to pay the legal assessment. We say deliberately, *in addition*;—for the latter payments by no means are held by them to remit the former. The poor-law collector's receipt is not considered by them a discharge from charitable obligations, and over and beyond what it has drawn from them by the force of a human law, the great second precept of the divine law, "the *mandatum novum*" of the New Testament, urges them to a more willing, but, of course, additional contribution."

"Quite of a piece with such speculations and predictions, is that embodied in the paragraphs of our last extract, which talk of changing the system of small holdings for the "better practice of daily labor for wages." The idea of throwing the

whole agricultural population of the country upon the, in this island, always uncertain, scanty and fluctuating resource of money wages for daily labor, as their means of support, is too preposterous to need comment. Why, even at this moment, when the gaps, the terrible gaps of the famine and pestilence years are yet unfilled, when the over-pressure, as it was called, of population cannot be said to be felt, when the high prices for agricultural produce and the abundant harvests have increased and vivified for the time the circulation of the country, there are periods and months of inaction and want of employment, and necessarily must be; and if that be the case now, how much worse will not the state of things prove, when the temporary incidents enumerated shall cease, as in the ordinary course of nature they must cease, and give way to less favourable circumstances? We may equally dismiss without discussion the concluding part of the extract where he sums up the laudation of his project by promising that it would cause our 'bogs and wastes to be reclaimed,' 'our fisheries to be worked and developed,' our 'manufactures,' that died away under the general impoverishment of the country, to be revived and made to flourish, our general condition to be wonderfully and permanently improved, and our people to be 'elevated in the social scale,' all by the agency of a legislation under every form and mode of which it has inevitably resulted that the poor, struggling, industrious man is made to pay for the support of the idle, the lazy, and the improvident, and further, for the maintenance of a numerous and costly staff, or *Bureaucracy*, to watch and rule the prison-like workhouses where the really deserving destitute are mixed up with the worthless and the vicious—the honest with the rogues—the chaste and orderly with the lewd, the unbridled and the shameless, and generations of boys and girls are growing up without family-ties or anything to bind them to society, but rather with evil feelings in their hearts at the restraints and harshnesses they are subjected to, and the grudging nature and manner of the support they receive."

Nevertheless, this report became the basis of a Bill, of which Alison thus writes:—

Lord John Russell introduced the subject on the 13th February; and his proposal, as is generally the case when the dreaded topic of an assessment is broached in a popular assembly, fell very far short indeed of the real necessities of the case. He proposed to establish

100 workhouses, each to contain 800 inmates, which would provide for 80,000 persons, and as their cost was only estimated at 1s. 6d. a-week each, the entire expense would be only £312,000 a-year! Mr. O'Connell, while he expressed, contrary to his former assertions, a qualified assent to the measure, justly exposed the utter fallacy of supposing that a measure which proposed only to afford the wretched pittance of 1s. 6d. a-week to 80,000 persons, could afford any real relief in a country where, according to Mr. Nicholl's report, there were, for more than half of every year, 585,000 heads of families and 2,300,000 persons dependent on them, in a state of utter destitution. Inadequate as the measure was, however, it was a mighty step in advance in Ireland, because it laid the foundations, at least, of a more extended system, and established a set of functionaries throughout the country in connexion with the Government, to whom the wants of its inhabitants would become known, and their necessities communicated to the proper quarter. Great alarm was expressed at the proposed assessment of £312,000 a-year, which only showed the happy ignorance of Ireland of direct taxation at that period: for the rental on which it was to be levied was £13,000,000, so that the rate on an average was only $2\frac{1}{2}$ per cent. It was a striking proof how little the real state of Ireland was understood at this period, and how ignorant the statesmen of Great Britain were of the real extent of the social evils under which Ireland laboured, that in the course of this debate Lord Howick stated it as an extraordinary and alarming circumstance, that in the last year the emigrants from Great Britain and Ireland of Irish birth were 39,030;—fifteen years afterwards they reached 368,000 in one year.

The frightful famine which decimated the country, cannot be attributed to the operation of the poor-laws; but this much is certain, that it proved the inefficiency of the institution in meeting and alleviating the horrors of those awful years. The people of Ireland should never forget the debt of gratitude they owe to that incomparable Viceroy, the late lamented Earl Besborough, whose noble magnanimity and generous disregard of any personal consequences, proved him one of nature's noblest beings, worthy to inherit, as we hope he does, the priceless crown of immortal glory; but nothing availed to stop the awful ravages of famine and disease. Routine, in this case, as well as in many others, tended to impede any good that might be effected; and while boards were discussing the claims of an applicant for relief, the unfortunates were dying of starvation on the road-sides. The expense of the administration of the laws for the relief of the poor in Ireland is of such a costly character, that whilst the officials are rich, the poor, for whom these laws were enacted, are almost starving for want of food and raiment.

The cost, we believe, of the management of the poor in

Ireland is nearly as great as that of England, and more than ten times that of Scotland.

During the discussions on these matters the old king died, and Queen Victoria ascended the throne. For us in Ireland these changes matter little, nor should we refer to them except for the purpose of mentioning the base conspiracy which was got up amongst the Orangemen of Ireland, to put Cumberland on the throne. Many persons went so far as to assert that they had resolved to assassinate Victoria. But however that matter may be, any attempt of that character was so certain of defeat, through the loyalty of the Irish Catholics under O'Connell, that the idea was abandoned, if it were ever entertained. What a glorious scene was that, when the great Liberator of the people asked them would they fight for the Queen, and from the throbbing hearts of 6,000,000 brave men came back the answer, "We will to the death!" The Orange faction heard that shout and trembled.

We are very tired of this book, and of its author. Sir A. Alison is a Baronet; we do not envy him the distinction, nor envy the order the honor they enjoy in possessing his name upon their rolls; he may be a very amiable man, but he is not a historian; he has no one quality of a historian; he displays neither eloquence, elegance, research, nor philosophy. We have somewhere read a remark that he writes down to the meanest comprehension. Now we think he has gone farther still. What we state is this, that while adopting a verbose style he is still obscure, and his grandiloquence is common-place; he is ambitious in words, mean in ideas, confused in arrangement, dogmatical without wisdom, and positive without knowledge. As for his politics, they are not the politics of a calm observer, nor of a rational partisan, they are, as they have been well denominated, "crazy idiosyncracies." There is that frequent indulgence in the use of italics for the purpose of enforcing what he says, which, as we have before remarked, Mr. Disraeli has characterised as the "forcible feeble." He talks of "the noble constancy displayed by Sir Robert Peel," of the gratitude the Romish priests and people owe to him for his generous conduct in their behalf, as though one should be grateful to the to the pick-pocket who drops one's purse when one has a hand upon his collar.

Naturally he is ignorant of everything about Ireland, and by consequence always unjust. O'Connell he considers coarse.

abusive, slanderous, unscrupulous and corrupt, "he had remarkable talent, but no genius; he had neither honor nor honesty; he had all the duplicity and disregard of consistency, which distinguishes the Celtic character; destitute of self-respect which in general characterises the Saxon; he had all the insensibility to personal abasement which is so common among the humbler classes of his countrymen." His two great objects were the advancement of his church and his own personal aggrandisement. Popery is Alison's bugbear, he sees a Jesuit under every broad-brimmed hat, and the Pope's nose is thrust into every liberal or conciliatory measure. It may tend to console the poor dear Baronet to learn, as we have done with great astonishment, through the revelations made by the author of "Poisoners and Propagandists," who shows that the shining cuirass of a life-guardsman may conceal one of the fraternity, and a cabman's badge rest upon the collar of one of these members of the Pope's brigade. Fortunately, Sir Archibald Alison's books are not read—but they sell—yes, people buy them, place them on their shelves, and find them useful, very useful. It is not every library has a complete set of "Hansard," or the "Annual Register." But there is an index to Alison, and instead of writing to "Notes and Queries" to discover what became of Hunt after the Spa field riots, or how Ministers defended the Copenhagen business, people go to Alison, and if the information be not always full and accurate, the process is much less troublesome.

The value of Sir Archibald Alison's general information upon the topics which he so flippantly discusses may be estimated from the learned plagiarism by which—with an extraordinary reliance upon the forgetfulness of his readers and the ignorance of his critics—he has in so ingenious a manner sought to foist upon the public the result of another's research with all the appliances of an original production. Production is a weak word, possibly not the correct term, but when we wrote it we were thinking of Byron who had a theory, upon which beyond all doubt he himself acted; that if the author of to day can use the thoughts of the author of yesterday, he is justly entitled to do so, provided always, however, that he improves upon them. But in the case of this latest literary pilferer, this gatherer up of "unconsidered trifles" (though in this instance not inconsiderable) the idea is not improved. It is mere vulgar picking and stealing *Charley Bates* or the *Artful Dodger* compared

with Barrington the pickpocket, or *Claude Duval*. In point of fact Sir Archibald Alison understands cribbing, though ignorant of annexation. The one bears the impress of police suppression, the other has about it the halo of a naturalized institution. But we sincerely hope that when literature in these kingdoms is becoming a power in the state, its nobility will never suffer their order to be desecrated by a species of spoliation such as that of which Sir Archibald Alison has given to the public so disgraceful (we are unwilling to write degrading) a specimen. Our charge is shortly, plainly, simply that this Scotch "historian" has in this present volume, the sixth of the new series, palpably copied with hardly a verbal change and without any acknowledgment, much of what composes his history of Indian affairs from Mr. Kaye's interesting and valuable record of the war in Afghanistan. From many evidences noted by us, we select the following parallels for the perusal of the reader: Referring to Lord Auckland, Alison thus writes at page 55 :—

Alison, p. 555.

"At the farewell banquet given him by the Company, he said that 'he looked with exultation to the new prospect opening before him, affording him an opportunity of doing good to his fellow-creatures, of promoting education and knowledge, of improving the administration of justice in India, of extending the blessings of good government and happiness to India.' Those were his genuine sentiments; all who heard the words felt that he was sincere. He had no taste for the din and confusion of a camp—no thirst for foreign conquest. Simple and unobtrusive in his manners, of a mild and unimpassioned temperament, of a gentle and retiring nature, he was as anxious to shun as others are to court notoriety."

Now hear Mr. Kaye's account of the same occurrence at pages 162 and 163 in volume 1 :—

Kaye, vol. i., pp. 162, 163.

"When he declared at the farewell banquet given him by the Directors of the East India Company, that 'he looked forward with exultation to the new prospect opening before him, affording him an opportunity of doing good to his fellow-creatures, of promoting education and knowledge, of improving the administration of justice in India, of extending the blessings of good government and happiness to India;' it was felt by all who knew him that the words were uttered with a grave sincerity, and expressed the genuine aspirations of the man. . . . He had no taste for the din and confusion of a camp—no appetite for foreign conquest. Quiet and unobtrusive in his manners, of a somewhat cold and impassive temperament, and altogether of a reserved and retiring nature, he was not one to court excitement or to desire notoriety."

Really this is too bad. There has been a convention entered into between France and England, by which Frenchmen are now prevented from pirating the editions of our books, and thus injuring the property of the publishers, and lessening the profits of the authors. But we consider that the legislature should interfere to protect our native writers from domestic pillage, and restrain the practice of such predatory licence. He who steals our purse is amenable to public justice, but he who filches from us the result of our literary labor escapes with impunity—impunity did we say? Ah! no—not with impunity, for there is a law more equitable than the enactments of parliamentary legislation, the law of public opinion, and before its bar Sir Archibald Alison stands arraigned, charged with a crime, a capital crime, the punishment of which no special pleading will enable him to evade. We shall give two other instances of this shameful appropriation of the thoughts and expressions of one whose laborious investigations entitle him to protection from such barefaced piracy :—*

Alison, p. 605.

"The native states on the borders were beginning to evince signs of feverish anxiety. From the hills of Nepaul to the jungles of Burmah came threats, at first smothered, but ere long openly uttered, of invasion. Even in our own provinces, and those longest subjected to our rule, there was an uneasy, restless feeling among all classes—the well-known and often unaccountable precursor of external catastrophe or internal revolt. This feeling was peculiarly strong among the Mussulman inhabitants, forming above fifteen millions, in the upper provinces. It was akin to that which, eight-and-thirty years before, had alarmed Marquess Wellesley, when Zemaun Shah threatened a descent from the mountains, with the whole forces of Central Asia, to exterminate the haughty infidels who had so long oppressed the land. In their eyes the approaching contest assumed the air of a religious crusade. It was believed that * * * the followers of the Prophet would rise up in countless multitudes . . . pour down over the plains of the Punjaub and the Ganges, and wrest all the

* As a remarkable coincidence we here observe that that wonderful sentence of Macaulay's about the New Zealander is a piracy, from Horace Walpole, who in a letter to Mason, November 24th, 1774, thus writes :—

"The next Augustan age will dawn on the other side of the Atlantic. There will perhaps be a Thucydides at Boston, a Xenophon at New York, and in time, a Virgil at Mexico, and a Newton at Peru. *At last some curious traveller from Lima will visit England, and give a description of the ruins of St. Paul's*, like the editions of Balbéc and Palmyra :—but am I not prophesying, contrary to my consummate prudence, and casting horoscopes of empires, like Rousseau?"

country from the infidel usurpers. So general were these feelings—so common the panic excited—that they formed the topic of conversation in the bazaars of Calcutta and Bombay, and occasioned a serious decline in the value of the public securities."

Kaye, vol. i., p. 290.

"The native states on our own borders were beginning to evince signs of feverish unrest. From the hills of Nepaul and the jungles of Burmah came mutterings of threatened invasion. . . . Even in our own provinces, these rumours of mighty movements in the countries of the North-west disquieted the native mind; there was an uneasy, restless feeling among all classes, scarcely amounting to disaffection, and perhaps best to be described as a state of ignorant expectancy. . . . Among our Mussulman subjects the feeling was somewhat akin to that which had unsettled their minds at the time when the rumoured advent of Zemaun Shah made them look for the speedy restoration of Mahomedan supremacy in Hindostan. In their eyes, indeed, the movement beyond the Afghan frontier took the shape of a Mahomedan invasion, and it was believed that countless thousands of true believers were about to pour themselves over the plains of the Punjab and Hindostan, and to wrest all the country from the hands of the infidel usurpers. The Mahomedan journals at this time teemed with the utterance of undisguised sedition. There was a decline in the value of public securities; and it went openly from mouth to mouth in the streets and the bazaars, that the Company's reign was nearly at an end."

Alison, p. 597.

"So great was the throng, so violent the press, when these two great potentates met, that many of the attendant Sikhs believed there was a design to destroy their chief, 'and began to blow their matches and grasp their weapons with a mingled air of distrust and ferocity.' Soon, however, a passage was made, and the little decrepit old man was seen tottering into the tent, supported on one side by the Governor-General and on the other by Sir Henry Fane, whose fine figure strangely contrasted with the bent and worn-out form of the Eastern chieftan. Next day the Maharajah received Lord Auckland in his tent, who returned his visit. The magnificence of the scene then exceeded that of the preceding day, and the Sikhs fairly outdid the British in Oriental splendour. The brilliant costumes of the Sikh Sirdars, the gorgeous trappings of their horses, the glittering steel casques and corslets of chain armour, the scarlet and yellow dresses, the tents of crimson and gold, the long lines of elephants, and still longer squadrons of cavalry, formed an unrivalled spectacle of Eastern magnificence. But different emotions arose, and every British heart beat with emotion, when, in that distant land, the well-known notes of the National Anthem arose from a Sikh band, and the gun of the Kalsa thundered forth salutes to the representative of Queen Victoria."

Kaye, vol. i., pp. 373-375.

"Such was the crush—such was the struggle—that many of the attendant Sikhs believed there was a design to destroy their old de-

crepit chief, and 'began to blow their matches and grasp their weapons with an air of mingled distrust and ferocity.' But in time a passage was made, and the imbecile little old man was to be seen tottering into the Durbar tent, supported on one side by the Governor-General, and on the other by Sir Henry Fane, whose fine, manly proportions, and length of limb, as he forced his way through the crowd, presented a strange contrast to the puny dimensions of the Sikh chieftain, as he leant upon his arm. . . . On the following day, Lord Auckland returned the visit of Runjit Singh. It was said by one present on this occasion that the Sikhs 'shone down the English.' . . . The splendid costumes of the Sikh Sirdars—the gorgeous trappings of their horses—the glittering steel casques and corselets of chain armour—the scarlet and yellow dresses—the tents of crimson and gold—made up a show of Eastern magnificence equally grand and picturesque. As the Maharajah saluted the Governor-General, the familiar notes of the National Anthem arose from the instruments of a Sikh band, and the guns of the Kalsa roared forth their expected welcome."

We have no patience really with such effrontery. It is true that in the second extract there is a marginal reference (1 Kaye 290) but it gives no indication of the vast extent of the obligation which has been contrasted. Whatever changes have been made by Alison have certainly not been improvements, and thus we commit him to the tender mercies of popular judgment, hoping they will remember "Der Bauer ist nit zu verderben : man hau' ihm denn Hand und Fuss ab."

ART. XI.—THE GOVERNMENT AND THE IRISH VALUATION OFFICERS.

Petitions, Evidence, &c., &c., relative to the case of the several Employés of the Service above named, at present under the consideration of Her Majesty's Government.
Dublin: Printed by Alexander Thom and Sons, 87, Abbey-street. 1857.

It is now more than a year since we placed before our readers a history of the basis, management, and ultimate aim of the *General Valuation of Ireland*.* In a subsequent number† we noticed the petitions of the officers engaged in that service to the Lord Lieutenant, praying that his Excellency would recommend the introduction of such legislative measure as would remove the very peculiar and pressing grievances of their uncertain and anomalous position, placing them on an equality with the other Civil servants of the Crown regarding permanency of employment, and consequent pension in declining years. With the prayer of the petition we cordially agreed, for many reasons, and not the least as we ever considered it hollow parsimony and bad policy to debar the hard-worked Civil servants of the country from the hope of compensation in life's decline—the best guarantee for fidelity and efficiency in the discharge of duty, while in the van of life's battle. It had been remarked, at the period when we first noticed the matter, by a spirited journalist, that “a more modest, guardedly-phrased, and eloquently-simple appeal to the Queen's representative, could not have been made; that the facts mentioned had been studiously understated;” and we were glad to perceive, at the same time, that Lord Carlisle so far appreciated the importance of the work performed by those gentlemen, and the arduous and lengthened duties upon which their claims were specially founded, as to order their appeal to be submitted to the consideration of the Lords of the Treasury.

In our second notice, too, we gave a brief but succinct state-

* IRISH QUARTERLY REVIEW, No. 20, vol. 5.

† IRISH QUARTERLY REVIEW, No. 22, vol. 6.

ment of the crying evils under which this most important, useful, and, we may add, Imperial, branch of the Civil Service was and, we regret to say, is still labouring. We say Imperial advisedly; for is it not used for Imperial purposes? When we look back through a vista of thirty years, and mark the great value of the work these men have performed for the State, does not such a retrospective glance manifest plainly to our mental vision the amount of intellectual labour by which this department of the Civil Service has attained the position it now holds—being the standard by which the property qualification for the electoral franchise is regulated, the basis for levying succession and legacy duties, the property income tax, and all other public and local taxes in Ireland? Even the Incumbered Estates Court is materially assisted, if not guided, by it. When all these benefits force themselves on our mind, we cannot but deem this an Imperial branch of the public service, and are forced to decry the wisdom of that policy which could induce any government to act so unfairly to their tried and trusted servants, as thus to batten on the intellect of a portion of their most talented sons, and, in the scathing language of our native bard—

“First feed on their brains, and then leave them to die.”

We have been accused of using language in our June number of last year (when writing on this to us interesting subject) that savoured of suppliance; but, if deep earnestness of manner regarding the cause we espoused, and a sad seriousness of tone when speaking of these gentlemen's uncertain position, was suppliance, we plead guilty to the charge. Now, we entirely disavow any—the remotest—approach to a suppliant tone, when referring, for the *third time*, to this all-important subject. The admirably-arranged pamphlet now before us disdains suppliant language; it tells its own story; it stares us in the face like a *home truth*; the paramount idea seems to be “*Expendere vitam in vero*,” there are no overdrawn statements to excite sympathy; no claptrap rhapsody to elicit applause; it is merely a simple “*statement of facts*”—the gauntlet of truth thrown down to the Government and the country; and, if all sense of justice be not dead, it will be responded to in a frank and generous way by both. Upon the general subject of the Civil Service Superannuation, upon which the

Valuation question is engrafted, we have no space to dilate, but merely to remark that this pamphlet is not only a hand-book regarding this particular department, but a judicious arrangement of well-selected extracts from the evidence before the Civil Service Superannuation Committee of Sir C. E. Trevelyan and others, which bears on all departments of the Civil Service.

There is not in this or, perhaps, in any other country, a service in such a strange and paradoxical position as the *Irish Valuation Office*. By the Act 15 and 16 Vic., cap. 63, the office was made permanent but (*quis credat?*) the officers engaged to work out its details were not! They were to remain in the equivocal position of chance hirelings of the day; and when, after years of toil, during which they displayed zeal, science, and skill, if sickness, or the infirmity consequent on advancing years, should interfere with their ill-paid daily task, they were sent adrift, powerless and penniless, without compensation or gratuity of any sort to enable them to contend, even temporarily, with their peculiarly distressing position. These gentlemen, we may also observe, when entering the service, were never warned that their tenure of office was *temporary*. They naturally looked forward to recompense in the evening of life.

We can well imagine how many, for the last thirty years, have suffered the bitter pings of disappointment. They enter the service in the morning of life or heyday of manhood. Year follows on year in silence—silent as the falling snow—they awake, and find themselves old, the snow on their foreheads, and sorrow and uncertainty in their hearts, for they spent the cream of their years in the Valuation Service. But it is time to have an end to this. Why, we ask, are gentlemen conferring such a benefit on the State to be thus treated? Why should great and long services meet with small rewards, and justice be any longer delayed to gentlemen whose duties are so onerous and arduous as to require the possession of no ordinary ability and mental culture, to enable them to fulfill them efficiently, and who are at this moment fulfilling them with credit to themselves and advantage to the State?

Anxious as we are, and have at all times been, to send forth our protests against any crying national wrong, we could not effect our purpose of awakening the public

mind to this too long existing evil better than by laying before our readers a resumé of this valuable pamphlet, and a further selection from the various opinions of the press on this exciting question.

We shall commence by giving the petition, in extenso, presented by George Macartney, Esq., M.P. for Antrim, and the evidence of Mr. Hutchings before the Civil Service Committee. The simple truthfulness of the petition speaks more eloquently than our pen could describe the grievances under which these gentlemen are labouring, and the redress required :—

The following petition was presented by George Macartney, Esq., Member for Antrim, and was referred by the House to the Civil Service Superannuation Committee, then sitting, and printed in their report, pages 463—4.

To the Right Honourable and Honourable the Knights, Citizens, and Burgesses in Parliament assembled.

The humble petition of the several Valuers, Superintendents, Surveyors, Draftsmen, and Clerks, in the service of the General Valuation and Survey of Rateable Property in Ireland,

Most Humbly Sheweth,

That the general valuation of rateable property in Ireland, commonly known as the townland valuation, was commenced under the authority of an Act of Parliament (Act 7 Geo. 4, cap. 62) in the year 1828 ; and that your petitioners were appointed to carry out the provisions of that act, which had for its object the more equal apportionment and levy of grand jury assessments in the several counties of Ireland.

That subsequently, on the introduction of the poor law into this country, the legislature deemed it necessary to extend the operations of the valuation service, and to cause a uniform valuation to be made in tenements for the levy of all public, local, and government taxes whatsoever ; and for this purpose statutes (9 and 10 Vict., cap. 110, and 15 and 16 Vict., cap. 63) were enacted, known as the tenement valuation acts, which provide that in addition to a general valuation in tenements an annual revision of the valuation be made, and that a new valuation be commenced in each county at the end of every fourteen years.

That the tenement valuation of three provinces has already been completed, and comprises an unprecedented amount of information, which, by the labours of your petitioners, has been rendered of the utmost financial and statistical importance, embracing as it does a separate and distinct survey and valuation of every house, farm, railway, canal, mine, fishery, and other rateable hereditament, the result forming a basis for the equitable levy of all poor's rate and grand jury cess, and establishing a correct standard whereby the property qualification for the elective franchise is regulated ; it moreover affords facilities to the commissioners for the sale of incumbered es-

tates, commissioners of inland revenue, commissioners of income tax, and other public bodies, so that the magnitude and importance of the valuation of Ireland, and its adaptation to the circumstances of the country and the exigencies of the Imperial Government, are manifest.

That, while the operations of the valuation service have thus from a temporary form become permanent under the Act which provides for annual revision, and so extended as to demand an unforeseen amount of diligence, labour, and accuracy, no modification or proportionate extension of the section of the Act of 1828, providing for the remuneration of your petitioners, has been enacted, as might have been expected, from the principle of adequate remuneration for the present, and suitable provision for the future, which is recognised by the Government as sound policy and justice in all its other branches of the civil service.

That, though the expenses of the general valuation are in the first instance advanced by the Lords Commissioners of Her Majesty's Treasury, yet being ultimately defrayed by presentments levied off the several counties, and consequently watched with jealous care by the different presenting bodies, the commissioner of valuation has been obliged to maintain a standard of payments far below that of an adequate remuneration for so important a work, so that very few of your petitioners have reached the maximum prescribed by the Act, and many of them not even the rates of pay upon which junior clerks usually enter other departments of the civil service, as may be seen by the present average daily pay to which the several clerks, draftsmen, surveyors, &c., have attained by a progressive system of increase after a lapse of eight-and-twenty years; thus four valuers whose term of service averages $22\frac{1}{2}$ years have reached the maximum prescribed by enactment, viz., £1 per day: the remaining valuers average 11s. 5d.; superintendents, 8s. 8d.; surveyors, 5s. 9d.; draftsmen, 4s. 10d.; clerks, 3s. 10½d.

That the general survey and valuation of Ireland is a systematic work which can only be carried on by the aid of persons possessing scientific knowledge, and in accordance with a uniform code of instruction.

That for gentlemen possessed of talents and education indispensable to the execution of such duties, the rates of pay above stated are quite inadequate to maintain them in the position which the respectability of the service demands, and at the same time afford the means of making provision for a state of incapacity or retirement.

That petitioners from the nature of their duties are peculiarly subject to disease, not only by reason of accidents and hardships in the field, but also from the insidious influence of unremitting application to office duties of a peculiarly laborious character.

That, owing to the fact of no provision having been made for the continuance of the salaries of your petitioners during illness, they are deprived of their only means of subsistence when afflicted with such visitations, at a time especially when their expenses are largely increased; and from this cause has ensued the result that several persons by endeavouring to discharge their duty while suffering from indisposition have rendered fatal an illness which in its early stages might have been arrested by a short period of relaxation.

That, since in accordance with the designs of the Legislature the general valuation and survey of Ireland has approached the form of annual revisions of the valuations already completed, the services of some of those who have devoted the prime of their lives to its duties must necessarily be dispensed with; and it will be seen that from the nature of the work which they have been instrumental in completing, superseding as it does the necessity for private surveys and valuations in this country, further prospects of professional employments are destroyed; they are precluded also from the resources of commerce or agriculture by their previous pursuits and want of means; and, being at an age beyond that contemplated by the present regulations for other civil employments, the consideration is respectfully submitted as to the fate awaiting your petitioners, for whom the law secures no provision, no retiring pension.

That your petitioners have already addressed the Commissioner of Valuation on the subject of this petition, from whom they have learned by letter that, owing to the present state of the law in regard to the valuation service, legislative interference is indispensable to improve their anomalous condition.

May it therefore please your Honourable House to take the foregoing circumstances into favourable consideration, with a view to amend the Act 15 and 16 Vict., c. 63, so as to introduce such legislative measures as may appear necessary to remove the peculiar and pressing grievances of their present position, and to place them on a similar footing with other departments of the Civil Service.

And your petitioners will ever pray.

Signed on behalf of petitioners,

John Boyan.

William Jones.

Robert McMiiken.

Henry Hutchings, *Hon. Secy.*

31st March, 1856.

NOTE.—The above claims of the petitioners to Government consideration are based on service in the general valuation exclusively; but it is right to observe, that the Commissioner of Valuation (Mr. Griffith) being also Chief Boundary Surveyor, and that the Superintendent of Valuation (Mr. Greene) being also Assistant Boundary Surveyor, under whose directions not only the work of the valuation service, but that also of the Boundary Survey and the Towns Improvement are carried out, the claims of the valuation employes, rest consequently, not alone on the valuation service, but also on those other branches of the public service on which they are at present alternately employed, as occasion requires, and to which many of them, now advanced in years, have devoted the early and best part of their lives.

Minutes of Evidence taken before the Select Committee of Civil Service Superannuation, 8th April, 1856, the Right Hon. the Chancellor of the Exchequer in the chair. Members present—the Chancellor of the Exchequer, Lord Stanley, Mr. Roebuck, Sir Stafford Northcote, Sir Francis Baring, Sir Henry Willoughby, Mr. Ausman Ricardo, Mr. Rich, Mr. Macartney, Mr. Fitzgerald, Viscount Monck.

Mr. Henry Hutchings, called in; and examined.

2222.—Chairman.—Are you employed in the valuation office at Dublin?—I am.

2223. In what capacity are you employed?—Divisional Superintendent.

2224. Are you an officer in the office, or are you employed in making valuations?—I am employed in the office.

2225. How long have you been employed in the office?—Sixteen years.

2226. The operations which the office superintends are the valuation of the counties of Ireland, are they not, under the general valuation act?—Yes.

2227. How are the salaries of the clerks in the department paid?—They are paid by the month for daily work.

2228. From what fund are they paid?—In the first instance from the consolidated fund; eventually the amount is levied off the counties.

2229. Then they are not paid from the consolidated fund?—No.

2230. They are not considered as in the service of the crown?—No.

2231. Is the office permanent, or is it a temporary office?—The duties of the office are continuous.

2232. That is to say there is no interruption?—Yes; the duties of revision render the work incessant.

2233. The valuation is of itself necessarily a temporary operation, is it not?—Our tenure of service only is temporary.

2234. Is any arrangement made with respect to your superannuation when any of you retire?—None whatever.

2235. What is the practice when any clerk retires? Have any retirements taken place since the office has been in existence?—None whatever. The word retirement is scarcely applicable to us; many have been discontinued; many have died. There is no compensation.

2236. Have any resignations of clerks taken place since the office has been in existence; have any clerks given up their office?—Yes, many have left the service to work for private companies, such as railway, insurance, and banking companies.

2237. Have they in any cases received any gratuity or any pension from the Government?—None whatever.

2238. Or from the counties?—None, excepting lately; in some extreme cases the Commissioner allows a month's pay. That is an occurrence within a year or so.

2239. Is there any application which the members of your department wish to make with respect to the superannuation allowances?—Yes, they are exceedingly anxious to be brought under the superannuation allowance of the Crown.

2240. Do they know what the terms of the present Superannuation Act are?—I think they do, as published in the late Superannuation Bill.

2241. Do they know that their salaries will be liable to a deduction in order to entitle them to a pension?—They are aware of that.

2242. And nevertheless they wish to be brought under the Act?—They wish to be brought under the Act, owing to the insecurity which they at present feel; whatever is legislated for the civil servants generally is acceptable to them. If they are unwell for a day or two their salary is stopped. They are allowed no holidays like the other

civil servants ; all their grievances arise from their pay being daily ; that pay is exceedingly low, and not at all equivalent to the circumstances of a temporary service, so that in cases of sickness or death, subscriptions to relieve the families or widows are customary among them.

2243. In fact, they wish to be put upon the footing of a Government department?—Precisely so.

2244. Mr. Fitzgerald.—You stated that the duties of your office were temporary ; is there not a provision that the valuation of Ireland should be revised from time to time?—I did not say that the duties were temporary, but that the service of the individuals was temporary, or from day to day.

2245. You meant to say that the employment of each particular clerk might be temporary, but that the duties of the office are of a permanent character?—Precisely so.

2246. Under the Valuation Act it is requisite, is it not, that the valuation of Ireland should be at stated periods?—Yes, annually.

2247. Consequently it will be requisite, to have a permanent staff in the Valuation office, in order to continue that annual revision of the valuation of Ireland?—Precisely so.

2248. Therefore, in that respect, it is distinctly a permanent office?—Yes ; in that respect it is necessarily a permanent office.

2249. Are you aware also that although the counties pay for the valuation, yet, at the same time, the valuation of Ireland is made use of, not only for county, but for Government purposes?—I am ; the Parliamentary franchises and income-tax are regulated by it.

2250. When did you enter the Valuation office?—I entered 17 years ago. I count only 16 years, having been absent a short time.

2251.—You have been 17 years employed in this office, and it will be requisite permanently to continue this office, in order to have an annual revision of the valuation of Ireland?—It will.

2252. Are there many other gentlemen in the office who are in your situation?—There are four other divisional superintendents.

3253. What staff do you contemplate it will be requisite to keep in order to carry out this annual revision of the valuation of Ireland, as required by the Act of Parliament?—From 90 to 100.

2254. That is including clerks, surveyors, valuers, and all the various officers of the service required?—Yes.

2255. It would be requisite to have a permanent staff of from 90 to 100 people, with a view to the annual revision required by the Act of Parliament?—It would.

2256. When was the first valuation of Ireland commenced?—I think 28 years ago.

2257. Are you the gentlemen that has been the longest in the office?—No ; I have not been the longest in the office.

2258.—Who has been the longest in the office?—Mr. Haskett and Mr. Warwick have each been 26 years in the employment, and are the longest, I believe, in the service ; there are about a dozen who have served from 22 to 20 years ; the remainder vary from 19 to 10 to 8.

3259. There are two officers who have been already 26 years employed in this duty ; and if their health and life last they are just those gentlemen who would be continued on the permanent staff of the department?—Yes.

2260. Sir S. Northcote.—Amongst those who you say have retired, have any retired after a long period of service?—I cannot at the moment say.

2261. Have any retired who have served 10 years?—Yes, many have left the service.

2262. Or 20 years?—I cannot say with regard to 20 years; but many have left after 11 years' service. Within a month or so, three have been discontinued after 11 years' service, and they have received no compensation.

2263. Mr. Fitzgerald.—The duties of your office are quite incompatible with anything like private practice, are they not?—Yes, they destroy all private practice.

2264. And the scale of remuneration which you now receive is below that which you would receive if you were in private practice?—Very much.

2265. Sir S. Northcote.—Can you mention any particular case of a person serving 10 or 11 years and retiring?—I can remember the particular case of a surveyor with a very large family; after 11 years' service he had only reached 6s. a day.

2266. Why did he leave the office?—He was discontinued on account of the reduction of the office which occurred last month. Within a very short time there will be another reduction of about forty, or more.

2267. Have there been many cases of men retiring from old age, being worn out?—I cannot remember at the moment any who have been worn out from old age: I am sure that such cases have occurred, but I would repeat that the word "retirement" is scarcely applicable to our case.

2268. Mr. Fitzgerald.—Mr Griffith is at the head of your office, is he not?—Yes.

4269. His appointment is made by the Government, is it not?—Yes.

2270. Does he nominate or appoint the various persons in the department, or are any of the officers named by the Government?—Mr. Griffith appoints, the Lord Lieutenant may direct.

2271. Viscount Monck.—Are you quite sure whether Mr. Griffith was appointed by the Government or by Act of Parliament?—I think he was appointed under the act. He holds at will and pleasure, I think. The Lord Lieutenant can remove him at any time.

2272. Mr. Fitzgerald.—Are any of the officers in the department appointed by the Lord Lieutenant?—None at present.

2273. Viscount Monck.—Are there any officers, properly so called, in the department?—In the Valuation department none, except the Commissioner.

2274. Are they not all employed temporarily by Mr. Griffith?—Yes.

2275. And are they not, at the time of their employment, warned that they are not to expect any superannuation?—No, they are not. We have all looked forward to the establishment in the office of a recognized staff, as foreshown in the evidence given by R. Griffith, Esq., E. Senior, Esq., E. Gulson, Esq., Hon. O. S. Clements, and Hon Sir G. C. Lewis, before the Select Committee of Inquiry into

the Townland Valuation of Ireland, July, 1844, and contained in answer to Questions 262, 1034, 1036, 1604, 1629, 1741, 1743; and we conceive the present time most suited for the establishment of the office in the form which these gentlemen foresaw would be necessary.

2276. Mr. Macartney.—Do you know of any officers in Ireland who, when they are placed in office, were informed that they would not receive any remuneration by pension, but who have since been pensioned?—I believe the civil assistants in the Ordnance Survey have been pensioned.

2277. Has any other case occurred lately?—I do not remember any other case.

2278. You have not heard of the case of the supernumeraries who were put off the Poor Law?—Yes; I had forgotten that. They have been pensioned or compensated. The Ordnance Survey was made only a preparatory step to the General Valuation, and those employed on it have obtained pensions from the Government.

2279.—Mr. Fitzgerald.—Do you know whether the Ordnance Survey was made at the expense of the Government or at the expense of the counties?—I think at the expense of the counties. We are anxious to impress a consideration of the facts, that our duties have an extensive sphere, the whole of Ireland; that they are for the most part laborious, descending to the consideration of every tenement; that they are of growing importance, likely to serve as the basis of all taxation; a first consideration in time of war; a foremost requirement in the progress of civilization and peace; that a recognised Government organization of the staff of the General Valuation and Survey of Ireland would be highly economic, and would be found to redound to the wisdom of the Legislature.

The above evidence furnishes irrefragable proof, if proof were wanted, of the truth of our statement, and the supine and guilty negligence of the Legislature in ignoring the claims of the valuation service. Mr. Hutchings' examination affords us tangible and undeniable evidence of the existence of this body during the lengthened period of 29 years, acting independently of, and apart from, any other branch of the public service, see questions 2256 and 2257 to 2279, also note under 2279. It might be supposed from questions 2276 to 2278, that the employes in this department should necessarily point out a precedent on which to base their claims, but irrespective of any precedent, these gentlemen demand to be legislated for on the broad basis of their own merit, and the benefits their services have conferred upon the state; and they do not shrink from comparison with any portion of the Civil Service as regards efficiency, utility, or mental labor.

* It has been since ascertained, that the Ordnance Survey was made at the expense of the Government; and it may here be observed, that the title "Valuation and Survey of Ireland" should not associate the General Valuation with the Ordnance Department, which is a distinct service, with which the Valuation has never been connected.

The annual revision—as directed by Act 15 & 16 Vic., cap. 63, sec. 29, requires a permanency of office—and consequently a permanent staff of officers is requisite to carry out the designs of the legislature in a fair and useful spirit, (see questions 2231 to 2234). Who could be better qualified to watch the tide of conflict and change created by time and other causes, than the man at the age of 40 in the full maturity of his health and intellect who started on his tour of inquiry at 20, and treading the same beaten track every subsequent year, acquires a practical knowledge and experience, of which the mere tyro and “chance hireling” must be totally deficient.

The evidence here adduced, clearly shows the absolute necessity of our opinion being acted upon, and we appeal to the common sense of the public, and to that love of fair play which every Englishman claims as the characteristic of his country, whether a man devoting all his mental and physical energies to a government service, does not deserve a meet reward both in security of office and adequate remuneration.

Regarding the continuous service and permanence of the officers, we have ample testimony in the return moved for by Edward Grogan, Esq., M.P., for the City of Dublin for the last session of Parliament, furnished to the house by the Commissioner of Valuation, and which is given in the appendix to the pamphlet; but we regret our space does not allow us to insert it. The same is however proved by Mr. Hutchings’ evidence, questions 2250, 2257, and 2258.

This gentleman’s examination let us also into a secret; it is conclusive from the questions propounded by the select committee, that they were totally ignorant of the false position in which the valuation service is placed; and this surprises us not a little, when we reflect on the vast importance and utility of the work performed, its systematic and effective administration, not alone where the national finances are concerned—but also on account of the innumerable public and private interests dependant on it, and the long period of time requisite to render it thus invaluable. When all these matters are considered is it not, we must say, surprising, that the select Committee should have been ignorant that such an abuse should exist in this age of progression and enlightenment.

We cannot wonder at the hesitation or evasion with which the question relative to the officers is met; no man likes willingly to make a humiliating admission, to acknowledge that he is not a *recognized officer*, for it would appear that "there are no officers properly so called" engaged on the valuation.

This exhibits a singularity in the constitution of the service quite at variance with the arrangements in almost all other public departments. There is in fact scarcely another branch of the Civil Service of equal standing and usefulness, in which, if the question were asked (2273), are there any *officers* in your establishment? that it could not be answered in the affirmative.

The dismissal summarily of officers after a lengthened period of service, who had discharged their duties satisfactorily and who had committed no offence against established rules, is another startling fact brought to light by questions, 2261 and 2262. Retirement forsooth, it is *retirement* with a vengeance! This grievance demands redress more imperatively than any other, as it appeals to the head and heart of any man possessing either the power of mind or the feelings of our common nature; it is so glaring a wrong that we can scarcely treat it calmly; so grossly does it violate all principles of justice, that we would fain ignore that portion of the evidence were it possible to do so. This one fact alone would be sufficient to demand immediate governmental inquiry. Neither as may be seen by question 2275, did any of those gentlemen enter the service with a preconceived notion that the office was not permanent, or that their services were to have a fair and equitable reward.

When referring to the evidence of Mr. Griffith, E. Senior, Esq., (Assistant Poor Law Commissioner), E. Gulson, Esq., Hon. C. S. Clements and Sir George Cornwall Lewis, at so distant a period as 1844, we perceive that these gentlemen were so impressed with the requirements of the country for an office rendering such important advantages to the state, that they gave their evidence in a spirit that called for legislature; and this acknowledgment of public service led the employes naturally to hope that when rendering the office permanent their labors would not be overlooked, but on the contrary that security and superannuation would reward the toil and assiduity with which they worked; and

as "the labourer is worthy of his hire," they vainly expected to receive at least fair and equitable treatment from the masters they served so well. But with a fatuity which was cruel as well as unjust, the act was passed rendering the office permanent while it made no provision whatever for those employed, whose low rates of pay as borne out by the testimony of the public press, also by Mr. Hutchings' evidence (questions 2242, 2263, 2264,) and by ourselves in a former number, are almost fabulous when contrasted with the sinecures enjoyed in the various "*circumlocution offices*" favored by governmental patronage.

Facts and figures are to our mind the most patent evidence of right and wrong, justice or injustice, being at all times the undeniable proof of matters at issue. We therefore insert the following table, which will prove to any unprejudiced mind, that the scale of pay according to the "Civil Service Gazette," "is in practice preposterous—not a jot above bearable."

"Comparative Statement of the average yearly salaries of officers under-named, in the Civil Service Departments in Ireland, and of the maximum yearly salaries of those in the Valuation Service :

Public Officers.	Amount of Yearly Salaries of										
	Junior Clerks.	2nd Class Clerks.	1st Class Clerks.	Drafts- men.	Account- ant's Assistant.	Chief Clerk.	Account- ant.	Surveyors.	Superin- tendent	Valu- ators.	General Superin- tendent
Ser- vice in Ireland.	£	£	£	£	£	£	£	£	£	£	£
1	91	173	249	295	350	360	492	221	390	429	775
Valuation Service.	47	62	94	94	94	156	260	113	141	261	313

There are no officers connected with the Civil Service in Ireland that can be classed under the headings of the last four columns of the above table; the salaries quoted are, however, for duties which may be considered analogous: thus, the average salary of the heads of offices in the Civil Service is compared with the salary of the General Superintendent of Valuation."

Were we not in possession of the above statement, the truth of which is unquestionable, we would be inclined to doubt the possibility of gentlemen, possessing the capabilities requisite to carry out this great national work in all its varied detail, toiling so patiently and enduringly for such

inadequate daily hire ; and we award a high meed of praise to men who, under such extreme pressure, have performed their duties well and diligently.

From the note appended to the following table, it is apparent that the sickness of heart consequent on these great privations, has had a sad and telling effect on the minds and health of the employés, whose deaths had been prematurely hastened by overtaxed mental exertion, without even the very slightest alleviation:—

"ABSTRACT OF PARLIAMENTARY RETURN moved for by Edward Grogan, Esq., Member for Dublin, and furnished to the House by the Commissioner of Valuation, 21st April, 1886, printed in the Report of the Select Committee on Superannuation, (App. No. 4, pages 370 and 371),—also of the ages of the employees of the Valuation Service, from a Return laid before the Civil Service Committee, by George Macartney, Esq., Member for Antrim, and supplied by the Valuation Pardon Committee, 29th March, 1886—

SHOWING the number of officers employed in the several Departments of the Service of the General Valuation of Ireland, and the total amounts of their salaries by the year, classified in four different periods of service,—and also showing the number in each department, classified according to their ages, in four periods.

Departments of the Service in which the different officers are engaged.	Classification according to lengths of Service.						Total	Classification according to Ages.					
	5 and under 10 Years Service.		10 & under 15 Years Service.		15 & under 20 Years Service.			No. of Officers whose Ages are					
	No. of Officers	Total Amount of Yearly Salaries.	No. of Officers	Total Amount of Yearly Salaries.	No. of Officers.	Total Amount of Yearly Salaries.		Amount of Yearly Salaries.	No. of Persons	From 20 to 30 Years.	From 30 to 40 Years.	From 40 to 50 Years.	Above 50 Years.
Accountant,	—	£ —	—	£ —	—	£ —	£ 260	1	—	—	—	1	5
Revising Valuers,	1	313	2	626	1	313	6	6	—	—	1	5	8
Valuers,	9	1,395	4	527	5	996	23	23	1	7	7	8	—
Chief Clerk,	1	156	—	—	—	—	1	1	—	1	—	1	—
Superintendents, . .	1	110	—	—	3	141	5	5	—	4	—	—	—
Revising Surveyors,	1	166	1	156	—	—	2	2	1	1	—	—	—
Surveyors,	17	1,596	10	962	—	78	28	28	6	15	3	4	4
Draftsmen,	6	462	3	250	4	108	14	14	2	5	6	1	1
Clerks,	22	1,573	8	673	2	94	33	33	9	14	7	3	3
Total,	58	5,761	28	3,194	15	2,311	113	113	19	7	24	23	23

" From the above abstract the position of the service is apparent, in relation to its claims to superannuation ; and it is worthy of remark, with reference to the want of retiring pensions, that the injurious effects of the dread of poverty on the minds and health of employes, as testified by Sir C. E. Trevelyan and R. M. Bromley, Esq., are fully borne out in the Valuation Service by the facts that from time to time several persons have suffered from mental disease in the service ; the list of mortality, too, during the last six years amounts to thirty one. Consequent on the deaths above mentioned, there were subscriptions in the office for some of the widows and families left destitute. The total sum contributed on these occasions amounted to about £300. Of these, fifteen persons have died of consumption, some having dragged out a miserable existence at their desks until the day before death. Five have died suddenly from disease of the heart. Fever, dysentery, and bronchitis have disposed of the rest, except one who was drowned. It is certain that many of these deaths were rendered prematurely fatal by the necessity which impelled the sufferers to attend their office, for the regulations of the service do not admit of the relaxation so indispensable to recovery without forfeiture of pay, at a time when there is an increased demand not only for the necessities of life, but also for proper medical treatment."

It will be observed from the above table that the total sum of the salaries of the valuation staff would be so low an item in the national expenditure as £13,569, which is scarcely one-fifth of the surplus revenue, added to the consolidated fund, within the last year, by the circumstance of the Government being able to avail themselves of this valuation for the levy of the property Income Tax, to the exclusion of the former Poor Law Valuation, which was nearly twenty per cent. lower.

If to this sum, £13,569, we add eighteen per cent.,* the result is £15,830 ; which would maintain, superannuate, and pension the entire staff of this establishment.

Why, therefore, let us ask, should not the debt which the state obviously owes to these gentlemen be paid without hesitation. Other collateral offices, and some of more recent construction and appointment are now recognised permanent services ; and of the justice of the claims of the valuation officers, the foregoing evidence leaves no manner of doubt.

After enumerating the many advantages derived from this department of the Civil Service, which render it of such incalculable value to the state, and expatiating on the more than injustice with which the claims of its employes have been disregarded, we turn to another phase of Governmental

* Sir C. E. Trevelyan's before Select Committee, Query 356.

policy where no parsimony is observable, and we see that the Treasury opens its golden stores to defray the expenses of improving royal palaces, beautifying royal pleasure-grounds, and on the ephemeral objects of mere taste and luxury, only meant to gratify the senses; no less a sum than £311,365 has been expended for such objects; nearly as much as the whole Valuation has cost, during the many years of its useful existence.

Thus, in these halcyon days of intellectual progression, when mind has acquired a just superiority over matter, and the twin-sisters, literature and science, hand in hand, contest the palm of victory with the highest military prowess, and pluck the laurel from the victor's brow, to enwreath the moral hero of peace and progress—even in these days such contrasts present themselves.

Is this an age, we ask, when permanent services are to be thus overlooked, when men of high mental culture, practical ability and hard-working perseverance in the public service, are to be condemned to a life of toil, and an old age of penury, whilst the comparatively small sum of £2,300 a-year would secure them compensation. Again we are forced to demand the meaning of this? Why should this department, after all we have adduced, and can adduce in its favor, be so unfairly treated? Why is it not, *at least* on an equal footing with other branches of the Civil Service, enjoying government patronage, although they have not conferred greater benefits? This is a right which we imperatively claim for these gentlemen; and it is also a matter of expediency, as the following extracts will fully prove.

The following extracts from the evidence of Sir C. E. Trevelyan, K.C.B., R. M. Bromley, Esq., C.B., Right Hon. Sir James Robert George, Bart., Wm. Farr, Esq., M.D., F.R.S., F. J. Hamel, Esq., and Right Hon. Wm. Goodenough Hayter, M.P., before the Select Committee on Civil Service Superannuation, March, 1856, are adduced as illustrative of the following principles:—

First—That the Superannuation sought by the Employés of the Service of the General Survey and Valuation of Ireland, is

A National and Public principle.

Of Public and National benefit.

Essential to Organization and the maintenance of a proper spirit in the Civil Service.

Necessary to all Civil Establishments.

Length of Service, entitles to Superannuation.

Loss of Office entitles to Superannuation.

Secondly—That the rates of Pay of the Employés of the General Valuation Service are inadequate to maintain them, and at the same time afford the means of making provision for incapacity or retirement.

There is no distinction in principle between Salary and Pension. Where there is no Pension there should be an increased rate of pay.

In the Valuation Service the Pay is less than that in services in which the Pay has been reduced in lieu of provision for Superannuation.

The inadequacy of Pay in the Valuation Service—apparent from the fact of the Salaries being lower than in the Civil Service Establishments, in which latter they are even lower than in private Commercial Houses.

Thirdly—That though the General Valuation of Ireland is an independent and complete Service, of equal, if not superior importance to some of the Civil Service Departments, yet the Employés are in a position inferior to extra Clerks in non-professional Departments, from the circumstance that extra Clerks can be Superannuated by a Treasury Minute.

Fourthly—That the redundant system extended to some Departments, and recommended as beneficial to the Public Service, is not available to the General Valuation Service.

Fifthly—That the time is now come when the Valuation Service may be placed on a permanent footing.

No. I.

That the Superannuation sought by the Employés of the service of the General Survey and Valuation of Ireland is a National and Public Principle.

1030. I beg to call the attention of the Committee to the remarks of Mr. Charles Grant (now Lord Glenelg):—"The principle for which I contend is, that persons who have served the public well shall not be deserted by the public, in need, sickness, or old age. This principle, I say, has ever been recognised by this house, and a just, and wise, and generous principle it is. I confess I do not like to hear such language from so respectable a Committee, as that money spent in support of this principle is a loss to the public. No, it is no loss to the public. The diligent servants of the public pay a large and usurious interest for what they receive from the public in loss of health, in premature decay, and sometimes even death. We admit the principle in military services, and reward is cheerfully paid in such cases; but are not civil servants equally entitled to reward? Military services are open and attended with that fame and splendour which of themselves constitute reward, while civil services, not less valuable, are performed in obscurity; the effects of them are visible, but few know or investigate the cause. I say, therefore, that money laid out upon the support of diligent civil servants is no loss to the public."

Of Public and National Benefit.

532. I do not say that no distinction has been made, but that it is so inevitably necessary for the public weal that pensions should be granted to worn-out public servants, that hereafter, when the offices which now do not pay deductions, come to claim superannuation, when the seniors in those offices grow old, it will be absolutely necessary to give them pensions whether they have contributed to the fund or not; and in proof of that, I will read a remarkable passage in Dr. Gray's evidence in reference to the British Museum, which is one of the Establishments which are not under the Schedule of the Superannuation Act. Particular attention has been called to it in the Report of the Commissioners on the British Museum:—Question 8659. There being no retiring pensions, has not the dread of poverty in advanced years an injurious effect on the minds and health of the officers?—I believe it has a very injurious effect on the minds and health of the officers and assistants; that is to say, that they feel always subject to the danger of want. I need only to refer to the fact of the deplorable state of mental disease which has existed among several of the officers of this institution. During the time I have been connected with the institution, six of the officers have left or died under mental disease. Being a medical man myself, and paying a good deal of attention to mental diseases, I can state that this is a proportion which is unknown among literary or scientific men in general. It is a question of a very serious nature. There have been more who have died or left under such a malady than have died from other causes during the period of my service."

259. Men now go to their work harassed with cares for the future state of their families; they are not able to attend to their business in the way they ought to attend to it. There are numerous cases where individuals upon their death-bed have been in an unhappy state of mind, knowing that their families are left in the most abject distress, that there is nothing even to support them; and their friends have been obliged to go round to the public offices to raise sums of money to bury them.

487. Has your attention been called to the subject of age in connexion with superannuation?—It is not for the advantage of the public that the servant should be irretrievably tied to the service; that he should have no prospect of cessation from labour when his energies begin to fail. It acts as a great discouragement, especially during the latter years of his service. It is better for the public that when the activity and energy of a servant begin to fail, he should be allowed to go, and that a younger and more active man should succeed him. The first year of a person's service, even supposing him to have been appointed in mature age, are the least valuable. Even in the case of professional officers, a few years are requisite to enable them to familiarize themselves with the special requirements of the office.

2964. Leaving out of consideration the question of deductions, do you not think that it is a sound policy for the Government to promise superannuation pensions with a view of promoting the efficiency of the public service?—I have the strongest opinion that whether

there were any deduction made or not, and whether there were any specific contract made by the State or not, cases of such extraordinary hardship would present themselves on the part of faithful servants worn out in the public service, that the claim for pension upon retirement would be irresistible.

2965. Is it not advantageous to the public service that persons who are unfit for the performance of their duties should be enabled to retire upon adequate pensions, so as to make way for persons younger than themselves, who would receive an advance of salary and perform the active duties?—I think so strongly that that is the case, that I should very much regret if the Treasury were extremely rigorous in exacting the very utmost length of service that the bodily frame could endure, and I do not think that they do so administer the law. If the head of a department represents that a faithful servant is wearing out rapidly, though his length of service shall not be the full measure, or his age not very much advanced, yet if his conduct has been most meritorious, when that is represented to the Treasury, the case is dealt with as it ought to be, with kind consideration; the good of the public service is promoted by releasing that gentleman from a service for which he is no longer fit, and my impression is, that the operation of the Act is in that direction, that there is indulgent consideration for the civil servant on the one hand, and due consideration for the efficiency of the public service on the other hand. I am quite sure that such is the spirit in which the power ought to be exercised by the Treasury, and I really believe that with varying Boards of Treasury that has been the principle which has guided their conduct.

1572. But experience has shown that there are great advantages attending the present mode of remunerating public servants, partly by salaries, and partly by superannuation.

1573. What are those advantages?—They are such as have led almost all the nations in Europe to adopt the system of paying partly by superannuation allowances. In the first place, it is a guarantee of fidelity; in the second place, it encourages efficient service; in the third place, it retains good men in the service; in the fourth place, it induces men to retire when they become old or inefficient from any cause; and in the fifth place, it prevents old public servants from falling into a state of disgraceful dependence, or of distressing destitution, which would be a public scandal, and might deter young men from becoming candidates for Office. These advantages appear to me to be so great that I should very much regret to see the system of superannuation abolished.

Essential to organization, and the maintenance of a proper spirit in the Civil Service.

109. Then your view seems to be, that the Government acted according to the letter of law, but the equity of the case was against them.—I conceive that there has been no breach of faith in reference to the abatements, but that the arrangement is in its nature inequitable, and that it belongs to that class of bad laws which are contrary to the natural sense of justice of mankind. In criminal jurisprudence the effect of such laws is, that juries will not convict upon

them. In civil administration the effect is, that they obstruct and baffle all our endeavours for the improvement of the Civil Service. However much we may endeavour to improve first appointments, to establish the principle of promotion according to qualification and merit, to consolidate cognate establishments, to make a proper division of labour, or to fix responsibility, this question of abatements continually meets us by raising discontent. Organization is a very important thing, but the maintenance of a proper feeling and spirit on the part of the public servants is a still more important consideration. Rules and system are a poor security compared with that habitual sense of duty which induces a public servant, under all circumstances, to do the best he can for the public as a faithful steward of his time and opportunities; and that sense of duty cannot be practically arrived at without the sentiment and feeling that the servants are equitably and generously dealt with.

Necessary to all Civil Establishments.

341. I consider that it is indispensable that pensions must be granted; there can be no efficient state of a department and no good service without pensions; I consider that pensions must be granted for the interest of the State.

181. Have you had many applications to be placed upon the Superannuation Act?—We have had some applications, especially from offices which feel doubtful about their tenure, and which are considered officially to be of a temporary character; the getting upon the Superannuation Act is held to give them a permanency.

484. Much inconvenience has been caused by the limitation of the superannuation system to the offices on the schedule of the Act, and to those which may be placed by the Treasury upon it?—The grant of a suitable rate of pension on retirement is an indispensable condition of efficient service; and whatever plan may be resolved upon, it should be understood that all the Civil establishments will come under it which are not expressly provided for by some other Act of Parliament.

215. Do you mean to affirm more than that the same principle of superannuation, so far as it can be applied, should be applied to all the civil servants?—Where the same principles are applicable, they should be applied to all. I conceive that this general principle is as applicable to all, that a suitable remuneration is provided by the State for its servants; to some it is more and to some it is less; in some cases it is adjusted in one way and in some in another; for instance, it differs in the case of diplomatic officers; but this principle applies to all, that it is the due reward of their service.

370. What have these recommendations to do with superannuation?—I consider that in dealing with the general question of superannuation, it is essentially necessary that it should be dealt with as a whole, in all its parts.

244. In short, you would have a system of universal superannuation fund, or else no pensions?—I would have either a system of universal superannuation fund, or system of universal free pension, granted by the State; and of the two, I very much prefer the latter.

Length of Service entitles to Superannuation.

317. I understand you to say, that in revising the salaries in all these offices, you did not take into consideration whether deductions were paid or not; but is not it the fact, that where the deduction is paid, the public servant has a superannuation allowance, and where the deduction is not paid he has not a retired allowance?—Practically, it is found that whether the deduction is paid or not, it is necessary at last to give a superannuation when the servant becomes old, and the efficiency of the department requires that he should retire. It is absolutely necessary to give those pensions, and the public also cannot allow good and faithful servants, who have worn themselves out in their service, to starve; consequently pensions must, at any rate, be given.

318. Is that the Treasury practice?—Yes.

319. Under what authority?—When such cases have taken place, they have always been laid before Parliament.

320. There may be extreme cases where it is done, and in those cases the allowances are voted by Parliament?—Yes.

Loss of Office entitles to Superannuation.

90. You say that in case of the office being abolished, it seems just that the Government alone should pay; do not you think that the justice of the case would be met if the public were to pay to the individual rather a higher rate of retirement in consideration of the disappointment of his hope of further rising?—I think, whatever may be the fair compensation to an officer whose office is abolished, the Government should pay it entirely; because, when an office is abolished, the officer's plan of life and hopes of benefiting himself are destroyed, solely for the benefit of the public.

337.—Are you aware whether there has been any Minute of the Treasury granting retiring pensions to those gentlemen who have been so dismissed under the Acts, and who had not contributed in any way to the Superannuation Fund?—Several officers of the Poor Law Establishment in Ireland, both inspectors and clerks, have received compensation allowances on abolition of office.

338. Do you remember what number of officers were dismissed by virtue of that Act of Parliament?—A considerable number, including several inspectors, an assistant secretary, and a first-class clerk.

339. A Bill is now before the House for the purpose of abolishing the office of secretary to the Poor Law Board in Ireland? I understand there is such a Bill.

340. And of course, acting under the same rule, that officer will look for a retiring pension, and it will be granted under a Minute of the Treasury?—I have no doubt of it.

341. Do you remember the date of that Minute of the Treasury which fixed the retirements of those officers who retired under that Bill?—I do not remember the date. I consider that it is indispensable that pensions must be granted; there can be no efficient state of a department and no good service without pensions; I consider that pensions must be granted for the interest of the State.

342. The case to which you have just referred of the Poor Law officers in Ireland was upon the abolition of the officers?—It was upon the abolition of the officers; but pensions upon the abolition of offices are upon the same principle as ordinary retirements.

343. Why are they upon the same principle?—The servant prematurely comes to the term of his service; it is a hard case.

344. Is it a harder case; is not the man in that case dismissed in the full possession of his faculties?—In some respects it is a harder case than that of an ordinary voluntary retirement; he is dismissed suddenly, and it is a great disturbance of his plans in life; it is generally in mid career.

145. Being in mid career, is not he in a more favourable position to engage in something else?—In that respect it is more favourable; but, on the whole, it is worse to a man to have his service broken off in the midst, and to have to provide himself without having had the usual opportunities of forming business connections, than for his service to come to its natural termination.

717. There can be no doubt that as far as applications for appointments are concerned, there will always be applications of some kind or other; but will there be applications from the class of persons whom it is thought desirable to bring into the public service?—That is the point at issue, unless you hold out sufficient prizes for them to succeed to.

No. II.

That the rates of pay of the Employés of the General Valuation Service are inadequate to maintain them, and at the same time afford the means of making provisions for incapacity or retirement. No distinction in principle between Salary and Pension.

190. Therefore you see no objection, when the public service requires it, to making alterations in the bargain upon which they entered the service?—No; I know that the opinion is likely to be very unpopular, but my opinion is, that there is no distinction in principle between salary and pension; and as salaries are liable to be altered for the public good, so in my opinion are pensions liable to be altered, but always with a just regard to the general principles of equity, and an indulgent and generous consideration for the interests and feelings of public servants.

1572. But experience has shown that there are great advantages attending the present mode of remunerating public servants, partly by salaries, and partly by superannuation.

1573. What are those advantages?—They are such as have led almost all the nations in Europe to adopt the system of paying partly by superannuation allowances.

Where there is no pension there should be an increased rate of pay.

1571. Do you not think that the general system of granting superannuation allowances to the civil servants tends very much to the efficiency of the civil service?—Very much.

1572. If salaries alone were paid, the salaries may be raised 27 per cent.. without increasing the ultimate charge on the nation.

Under this arrangement a salary of £100 would be raised to £127, of £300 to £335, of £1,000 to £1,270; and this would evidently be exceedingly advantageous to the prudent men in the public service. It would, I believe, also be gratifying to some of the gentlemen who are about to enter the service.

In the Valuation Service the pay is less than that in Services in which the pay has been reduced in lieu of provision for Superannuation.

1916. Is it not a mere question of the inadequacy of the salary to the inferior officers?—Yes.

1917. Are you aware that there are large classes of the public servants, the extra clerks, who have petitioned to be placed upon the same footing as the civil servant?—I hold in my hand a memorial sent to me entitled, "The Petition of the several valuers, superintendents, surveyors, draftsmen, and clerks in the service of the General Valuation and Survey of Rateable Property in Ireland." It proceeds from a large body of them. It appears that they begin at £70* a-year, and the prayer of their memorial to the Lord Lieutenant is, "To place them on a similar footing with other departments of the Civil Service, thereby securing to them permanency of employment, and consequent pension in declining years, or for discontinued service." They pray, having only temporary employment, to be placed in the position that the permanent civil servants are complaining of.

The inadequacy of pay in the Valuation Service—apparent from the fact of the salaries being lower than in the Civil Service Establishments, in which latter they are even lower than in Private Commercial Houses.

655. Are you in a position to give the Committee any information as to the relative amount of the salaries now paid at the Bank of England, at the East India House, and at the great railway offices, and great commercial establishments, to the clerks, when they first enter the service?—Yes; I am able to show the Committee, that in many establishments there are what are called apprentices, boys entering at fourteen or fifteen years of age, and they enter at about £30 or £40 a-year, and remain until eighteen or twenty years of age, when they rise to £70, £80, or £90 a-year to commence with.

656. Can you specify the offices at which that takes place?—I can mention the London and North-Western Railway, and the Bank of England.

657. Do you know anything about the East India House?—Yes; the East India House is far more liberal. There they enter at sixteen or seventeen years of age; they commence at £90, and go up by

* This amount seems to have been deduced from the average rate of daily pay of clerks, given in Petition (page 11), calculating for every day in the year; but in the Valuation Service payment is not made for Sundays, and the rate alluded to, being an average after several years' service, does not serve for a data to ascertain the minimum on entrance.

periodical increments of salary to £700 and £800 a-year, with various other advantages, such as assistants, up to £1,000, £1,500, and £2,000 a-year. The examiner of Indian correspondence gets £2,000 a year, and he has an assistant examiner under him at £1,500, and he has his next assistant at £1,200, and the next at £1,000. These are the prizes which a man entering at £90 a-year has a prospect of getting,

658. Can you state also the hours of attendance?—I can state the hours of attendance in the Bank of England; they commence at nine and the business is over at half-past three; the doors are closed at that time, and the books are required to be balanced before the clerks leave; so that the committee may take from six to six hours and a-half as the daily attendance of the gentlemen at the Bank of England.

661. With regard to leave of absence, what is the rule in the Bank of England and other large establishments?—A periodical leave is given, somewhat equivalent to that in the Government service. There is what is commonly called a month's leave of absence, extending, with casual days, to be about five weeks in the year.

667. You say that a clerk gets £60, £80, or £90 at the Bank, at sixteen or seventeen; can you trace his rise?—The rise is very uncertain. "The clerks of the Bank of England are admitted into the service between the ages of seventeen and twenty-five, and the following is the scale of the salaries: at seventeen years of age they receive £50 per annum; eighteen years, £60; nineteen years, 70; twenty years, £80; twenty-one years, £100; those elected under twenty-one are advanced £10 annually till twenty years of age, when they are advanced £20, thus making their salaries at twenty-one years of age £100 per annum; after twenty-one all are advanced £5 each annually, for eight years, and subsequently £8 per annum, till they arrive at the maximum amount of £250 to the ordinary class of clerks, and to £300 as principals of offices."

669. Is it your belief that on comparing the position of the clerks in railway offices, and public commercial establishments of all kinds in London, with the position of the clerks in the service of the Government, it will be found that the former are in a better position than the latter?—Most decidedly. I do not think you can arrive at a comparison without some kind of average. I will take three offices, if you will allow me, to mention the average. But, in addition to that, it will be necessary to bear in mind the prizes that clerks in private houses have in comparison with the clerks in the public service. I will mention the Bank of England. Of 765 persons, the average salary is £244 a year. The average salary at their branches is £337 a-year. At Manchester, the agent for superintending seventy clerks gets £2,000 a-year, with house, coals, and candles. At Birmingham, with only thirteen clerks, he gets £1,700, with house, coals, and candles. At Liverpool, £2000 a-year, with only twenty-seven clerks, with house, coals, and candles; and many others I might mention in the same way.

717. There can be no doubt that, as far as application for appointments are concerned, there will always be applications of some kind or other; but will there be applications from the class of persons

whom it is thought desirable to bring into the public service?—That is the point at issue, unless you hold out sufficient prizes for them to succeed to.

No. III.

That though the General Valuation of Ireland is an independent and complete service, of equal, if not superior importance to some of the Civil Service Departments, yet the employés are in a position inferior to extra clerks in non-professional departments, from the circumstance that extra clerks can be superannuated by a Treasury minute.

534. Under what authority was that done?—An act of the Treasury.

535. Under what Act of Parliament?—There is no express exclusion of extra clerks in any Superannuation Act; the pension granted to extra clerks by the minute of 1845 was confined to those extra clerks whose services were virtually of a permanent nature, and the proof of it is that the pension was to be granted only to those who had actually been worn out in the public service.

536. There is no exclusion in the present Superannuation Act of extra clerks; but it seems to have been held by the Treasury in 1822 that the extra clerks were a temporary class of public servants, and that it was desirable to dispense with their services, and that no more should be appointed; but as time went on, and our experience increased, it was found that it was impossible to do without them, and they have been gradually developed into a very valuable class of supplementary clerks, who represent a distinct division of labour. They receive a lower rate of salary, and are employed as copyists and registrars, keeping the papers, and making up accounts, and other things of that sort.

537. They are a very valuable class of clerks?—Very valuable.

578. Was not this Treasury minute made in order to meet a case that was not provided for by the Act of 1834?—The real origin of the minute was this: In 1824 the extra clerks were regarded as a mere temporary provisional margin to the different offices; and it was considered desirable to dispense with them as soon as possible, and to give no encouragement whatever to the appointment of additional extra clerks. But in course of time it came to be seen, that instead of being temporary, they were necessarily permanent, and they were a very useful body of officers.

581. Substantially, under certain exceptions, the extra clerks are a distinct class from the other clerks in the Treasury?—Yes; they represent a separate division of labour. They are a very respectable and useful class; in their sphere they are as useful as any at the Treasury.

582. Their sphere being more mechanical and less intellectual?—Yes; the distinction represents, speaking generally, the division between intellectual and mechanical labour. The system has answered so well that it has been extended to a number of other offices, and is growing into general use.

583. Being thus mechanical rather than intellectual, and liable to increase or decrease according to temporary exigencies, they were treated rather as temporary than as permanent clerks?—Yes, they

were at first; but as our experience increased, we found that that kind of work was better done by persons selected and paid expressly with a view to that description of work, than by employing persons with a much higher salary; and that we were not merely wasting the public money by giving unnecessarily high salaries for doing that kind of work, but that we were injuring the young men who were to succeed to higher situations in the Treasury by employing them for many years together in a manner unsuited to their education and prospects as clerks, which was not suited to them. That description of work does not afford a suitable training for the higher functions of work to which the gentlemen on the superior establishment are intended to rise.

584. Being therefore in 1834 considered to a certain extent temporary, they did not fall under the purview of the Superannuation Act of William IV?—Yes, that is the true explanation; they had been declared by the previous Minute of 1824 to be a temporary class, a class that was to be got rid of, and therefore the Act of 1834 was not applied to them; but I consider that now they are on quite the same footing in respect to superannuation as any other civil servants, and that they ought to be dealt with in precisely the same manner as all the others.

No. IV.

That the Redundant System extended to other departments, and recommended as beneficial to the public, is not available to the General Valuation Service.

1031. The Customs and the Inland Revenue are the large departments under the Treasury in which these redundant numbers exist. The Inland Revenue is stated to have 206, and the Customs 45. The reason why in the Inland Revenue there happens to be so many redundant officers is obvious. For instance, the reduction of the soap duties at once threw a large class of officers upon the redundant list for a time, and they are from time to time, as vacancies arise, or deaths occur, absorbed.

390. Is there any other cause to which you think the extension of the Pension List is to be particularly ascribed?—The next cause is the absence of any satisfactory arrangement for making the experience and ability of the members of the different civil establishments available where they are most required; for instance, the most important functions performed in the executive departments at the Treasury, and for the proper performance of the business of the Treasury we require the most practical experience and the best ability, which all the departments which are acted upon by us, or superintended by us, can furnish; but our choice (it is no disparagement to the gentlemen of the Treasury), is confined to a small knot of men who happen to have been appointed as youths in the Treasury establishment, and who have no other experience except what the Treasury affords, and some of them, of course, turn out in the usual proportion not first rate; and I should especially mention the absence of any satisfactory arrangement for transferring the surplus of one establishment to supply the deficiency of others. There are constant fluctuations going

on throughout the great field of the public service calling for continual readjustments and revisions. For instance, just now, owing to the happy change which has taken place in Ireland, there has been a reduction of the Irish establishments, of the Poor Law and Board of Works, and so forth; and the Imperial Customs establishments in the Colonies have been reduced of late years; the Convict establishments in New South Wales are also in a rapid progress of reduction; but there is, practically, no power existing of transferring those surplus officers to the active service of other departments; the public has to pay both ways; those who are no longer required are placed on the Retired List, and new or additional duties are provided for by the appointment of new persons on new salaries. This is one of the evil consequences of the purely departmental or fragmentary character of the Civil Service; the consolidation of offices, and establishment of similar class in the War Department, and the proposed combination of all public establishments under the new Act, will lay a foundation, but only a foundation; a central authority must be established sufficiently strong to have the whole public service constantly under revision, and to make all the necessary transfers and readjustments. The facility of transferring men to the pension list also occasions many questionable cases of reduction of office which are made under the pressure of personal applications, either from those who retire, or from those who wish to get their places, or both, but which are not followed by any real diminution of establishment; as fast as one crop is reaped and gathered into the pension list, another takes its place; a job too often lurks behind such arrangements, and so it will always be while the pension list is open to receive those who are temporarily unemployed, and no real power exists of transferring men from situations where they are not wanted to others where they are wanted; there must always be reduction of offices, but there ought to be no reduction of men; unnecessary offices should be abolished, but the holders should be at once re-employed where they will be most useful.

428. Whilst this gentleman who is turned out of office gets three-fourths?—Yes; I believe that it is always usual to make a distinction between professional persons and ordinary civil servants; it is considered that to a professional person his profession is his livelihood. It is only by following that continuously through his life, and improving his position, and increasing his connexions, that he succeeds in life; and when he is altogether withdrawn from the exercise of his profession for many years, and is thrown upon the world, it is reasonable to give him a higher rate of compensation than is given to a person whose qualifications consist entirely of clerical attainments, and who can earn his livelihood with great facility elsewhere.

437. Does that in any way overcome the difficulty?—I think it does; because, if the scales of salary were similar throughout the service, then, on the occasion of the Department of Inland Revenue, for instance, applying to us for an increase of their establishment in a particular class, instead of sending a new officer, the Treasury might send one of the redundant officers, who would be on the footing of a supernumerary, and would therefore not interfere with the promotion

of the existing officers. The truth is, that the business is continually growing. There is a constant demand made upon the Treasury for an increase of establishments. The officers who are reduced are of all grades, some at the top, some in the middle, some below. There are always some branches of the public service on which there is a pressure; the business outgrows the establishments; and these are the cases in which, if there were a sufficiently powerful superintendence, the surplus strength of one part of the public service might be applied to supply the deficient strength of another part.

No. V.

That the time is now come when the Valuation Service may be placed on a permanent footing.

322. I do not say that no distinction has been made, but that it is so inevitably necessary for the public weal that pensions should be granted to worn-out public servants, that hereafter, when the offices which now do not pay deductions, come to claim superannuation, when the seniors in those offices grow old, it will be absolutely necessary to give them pensions whether they have contributed to the fund or not.

321. In the poor law department are they entitled to superannuation allowances?—The poor law is a comparatively new office; but the time is approaching when it will be necessary to determine whether the superannuation act shall be applied to it.

322. Is it not under the superannuation act at present?—No.

323. Are they in the habit of superannuating their officers?—No; the case has not occurred yet, but it must soon occur. When clerks belonging to the poor law establishment become old and infirm, then the State must take its choice; it must either extend to that department the general benefit of pensions, or it must allow public officers to go on receiving full salaries, and doing their work in an inefficient manner, or else it must turn them off, and consign good and faithful servants to disgraceful poverty.

324. Are the Committee to understand you to say, that without reference to whether the officers in any particular department are under the superannuation act or not, the Treasury generally grants a retired allowance?—The case of the ordinary superannuations of clerks in such offices has not occurred yet. The offices which I am speaking of are new offices.

325. Then it has not been done yet?—It has not yet been done; but the time is fast approaching when some decision must be come to.

331. What is generally the reason that those other departments do not contribute to the superannuation?—They are new departments; when they were first established it was doubtful whether they would be permanent or only temporary; but now they have grown into permanency, and have developed into ordinary departments.

481. Have you had many applications to be placed upon the superannuation act?—We have had some applications, especially from offices which feel doubtful about their tenure, and which are considered officially to be of a temporary character; the getting upon the superannuation act is held to give them a permanence.

484. Much inconvenience has been caused by the limitation of the superannuation system to the offices on the schedule of the act, and to those which may be placed by the Treasury upon it. The grant of a suitable rate of pension on retirement is an indispensable condition of efficient service; and whatever plan may be resolved upon, it should be understood that all the civil establishments will come under it which are not expressly provided for by some other act of parliament.

From the above, the following facts are apparent:—That the principle of conferring pensions and superannuation allowance on tried and trusted public servants is a wise, economic, and judicious policy; that that principle has been gradually developed and acted upon—first, by granting pensions, &c., to the heads of certain offices; secondly, by extending the same to particular departments; and, thirdly, that the principle having been at length found correct in its general application—being “essential to the maintenance of a public spirit in the Civil Service,” and that “there can be no efficient service without pension”—it has been still further extended to the supernumerary and extra clerks in these departments; finally, that the time has arrived when such important and permanent public departments as the General Valuation of Ireland should be officially recognised, by placing them on an equal footing with other departments of the Civil Service.

We cannot, therefore, but hope that the officers of this service will soon have attained their just and well-merited position as Civil servants of the Crown, and that status in the country to which they are so well entitled. Then the hope of rest in life's decline would act as an impetus to strengthen the energies and brighten the intellect of the employé, who would work more diligently and vigorously whilst looking forward to that time when his toil will cease, and the labor of his manhood be requited by an old age of competency and peace.

The State would thus be served by men in the power of their intellect, who would bring to their daily labors all the energy, strength, and vigour of their prime, and devote to the service of that Government they might then regard as paternal, all the powers of their minds and the best feelings of their hearts; for did not the syren, Hope, irradiate their toil with a golden halo; senility with its concomi-

tant imbecility would no more be seen, and the State would be served by able and efficient men.

Would not this, we ask, be a wise and more economical policy than the present? We feel so deeply impressed with the truth and justice of our views on this matter, that we are instinctively impelled to go farther than we first intended, in thus giving expression to our sentiments, whilst we can bring forward more effective evidence from the pamphlet before us, in which the various benefits conferred on the State by the Valuation Service are pointed out. Amongst the many, we cannot refrain from drawing attention to the great facility it has given to Imperial and local taxation in Ireland, which are so equally distributed by means of the relative basis afforded by this valuation, that, instead of being considered, as formerly, as a burden, they are now regarded as fair and reasonable.

Now, after years of labor and expense, when the machine is in proper and efficient working order, attached as an indispensable arm to the Government, for the especial use and benefit of the State, we naturally inquire is it the intention of our rulers to continue to work this all but perfect machine, or fall back on the old exploded and corrupt plan of applotters and local revisors, by whom the relativeness of the valuation would soon be destroyed, and the franchise deranged? But, when we remember the Act 15 and 16 Vic., cap. 63, section 29, the permanency of the machine in its integrity must have been contemplated,—then why not its component parts of durable material?

The employées, while aware that their case is not at their own disposal, but entirely in the hands of the Imperial Parliament, do, so far as they may assume, and with all due deference, demand a fair investigation of their case, while in calm confidence of the justice of their claims, and the magnitude of their grievances, and deprecating delay above all else, are content to abide the result.

In this spirit they have forwarded the memorial, a copy of which we give underneath:—

“To the Right Honourable the Royal Commissioners, appointed to Inquire into the Claims of the Civil Service with respect to Superannuation. The Memorial of the several Valuers, Superintendents, Surveyors, Draftsmen, and Clerks, in the service of the General Survey and Valuation of Ireland, Most Humbly Sheweth—

That your memorialists are engaged under the provisions of Acts 15 and 16, Vict., cap. 63, and 17 Vict., cap. 8, for the uniform Valuation of Lands and Tenements in Ireland.

That many of your memorialist have devoted the best part of their lives, as well as their professional and scientific knowledge, to carrying out the intentions of the legislature, under the guidance of an uniform code of instructions laid down by the Commissioner of Valuation.

That the provision for retirement in declining years, or for discontinued service, recognised as a wise and judicious principle of political economy, and accorded to the officers of other Public Departments, has not yet been extended to your memorialists.

That on the 31st March, 1856, your memorialists addressed to the House of Commons a Petition setting forth their principal grievances, and praying for such legislative measures as would place them on an equal footing with other departments of the civil service.

That a return, called for last session of parliament by Mr. Grogan, of the name, date of appointment, rate of pay on entering the service, and rate of pay and length of service of each of your memorialists up to 1st March, 1856, was then supplied to the House of Commons by the Commissioner of Valuation.

That the petition and the return were ordered by the House to be laid before the select committee on superannuation then sitting, and were by them embodied, together with evidence on the subject, in their report, dated 7th July, 1856, to which your memorialists humbly and earnestly beg to refer you.

That the Acts under which your memorialists are employed are essentially permanent in their operations.—*Vide* the report, appendix, page 361; *ibid*, pages 244 and 245; questions 2231, 2232, 2233, 2245, and 2248.

That other departments of recent construction and appointment, and dependent for the basis of their operations on the results of the labours of your memorialists, already enjoy the advantages sought by memorialists.

That your memorialists, feeling deeply sensible of their insecure position, respectfully submit to your Honourable Commission, on the grounds of the permanence and public utility of their duties, their claim to a share in the paternal solicitude of the Government, in common with the other civil servants of the Crown.

Therefore your memorialists most humbly pray that your Honourable Commission will take the foregoing circumstances into consideration, and recommend such legislative measures as may appear necessary to remove the peculiar and pressing grievances of their present position by placing them on an equal footing with other departments of the civil service.

And your memorialists will ever pray.

(Here follow the Signatures of all the Assistants.)

Dated 27th November, 1856.

We are glad to perceive that this memorial has not only received the sanction of the Commissioner of Valuation, but has also obtained a prominent place in the Report of the

Royal Commissioners, just printed, where they recommend the principle of extending superannuation and pensions to all such services as have developed themselves into permanence.

We regret that our limited space precludes the possibility of our giving more than a few extracts from the opinions of the press, as we consider it almost invidious to omit even one of those valuable testimonials of the truthfulness of our argument.

The Press we have at all times regarded as the best exponent of public opinion, and we hail its advocacy in good faith. Whilst supported by *The Civil Service Gazette* (London), all the journals of our own metropolis—*The Post, Packet, Freeman, Mail, Nation, Daily Express, Saunders, Warder, Advocate*, as also some of the most influential provincial papers, we have no hesitation in saying, that with such advocacy the officers may demand, in a more imperative manner, a full and speedy adjustment of this question, now so long and prominently before the country.

The following are a few of the opinions of the Press. We select at random from the many before us:—

“The case of gentlemen employed in what is called temporary public service is specially deserving of consideration at this moment. It is an important fact that a Select Committee of the House of Commons has clearly and unequivocally pronounced ‘that the practice of providing superannuation pension for members of the permanent civil service is based on sound principles of policy,’ and surely that practice is sound which has the approval of the most enlightened Governments of Europe, which guarantees fidelity, encourages efficient service, retains good men, induces men to retire when they become inefficient from any cause, and prevents old public servants from falling into a state of distressing destitution which would be a public scandal. But what is this permanent civil service? It does not consist of those offices only which were specified in Schedule A of the Superannuation Bill, because this schedule was cancelled and omitted in the last amended bill, and rightly too—for it is manifest that national growth is productive of new and increased civil services; nor does it consist in the unwise and unjust distinction of appointments such as temporary or permanent, for we find the Treasury from time to time has nullified such a distinction, and not only pensions some temporary officers but contemplates a further exercise of this power. The real and proper test of permanent civil service is to be found in the scale of time which has been used as a basis for the regulation of pensions, and the limits of this we find to be from ten to thirty-five years. He, then, who has served the country con-

tinuously between or beyond these limits has given permanent service and deserves pension,—if it be sound policy to encourage efficient service and retain good men. This bears forcibly on the absurdity at present existing in the Irish Poor Law Service, in which some of the so-called temporary clerks are more efficient and of longer standing than the permanent officers. Are these men, who receive but from £80 to £100 per year, exempt from the common incidents of life? Will they alone be always efficient? Will they never grow old? Can they never become destitute? The Irish Valuation Service is a case of still more aggravated hardships. Thus the undisputed services of honorable and honest men are disposed of by some paltry quibble, and they are handed over to merciless neglect, at the very time, too, when the House of Commons is proclaiming the sound policy of superannuation, and the whole British Senate is resounding with sympathy and compassion for Negroes, Turks, Hindoos, and convicts, and thousands are voted away for model reformatories and magnificent receptacles for criminals and vagabonds. We trust that the forthcoming Bill of the Member for Antrim will go far to meet these anomalies, and place Government Civil Services on the clear and comprehensive footing of time served.”—*Civil Service Gazette*, February 14, 1857.

“The Civil Service Superannuation question will probably come before Parliament soon. The public interests require that men who, from age or infirmity, are not able to do their work efficiently, should not only be permitted to retire, but encouraged to do so, by securing to them a suitable superannuation allowance, after they have worn out their strength in the service. The justice and expediency of this are admitted, but the principle is not fully carried out. We are glad, therefore, to learn, from an answer given by the Chancellor of the Exchequer, that the question is likely to receive early attention, and, we trust, a satisfactory solution. Whatever new arrangements may be made on this subject, we have a right to expect that the resulting benefits shall be extended to the general valuation service in Ireland.

“We need not say that such a valuation involves an immense amount of labour, or that it requires in those who perform it the utmost diligence, accuracy, and fidelity, combined with a high order of practical intelligence, as well as considerable scientific attainments. That the work has been exceedingly well done is universally admitted. That it is of the greatest value for fiscal, political, and industrial purposes, is also clear; and it may be safely asserted that no branch of the civil service is more deserving of the consideration of the Government. Yet, strange to say, none has met with such marked neglect.

“A remedy for these evils ought to be provided by the legislature. The public voice should be raised in favour of this deserving and ill-used body. The Irish grand juries especially are, we think, bound to interpose. It is their interest as well as their duty to do so. Now that the valuation is nearly completed, and needs only annual revision—seeing that it is so largely subservient to national and imperial purposes—should not the change be at once transferred from the counties to the consolidated fund? This would save the ratepayers the sum of £18,000 a-year. If this were done, the valuation would

be placed on the same footing with other branches of the civil service, the payments would be increased, and a provision would be made for superannuation pensions, which would not cost more than £4,500 a-year. The valuation has been finished in the following counties:—Cork, Kerry, Limerick, Waterford, Tipperary, Kilkenny, Queen's County, King's County, Meath, Westmeath, Longford, Louth, Dublin, Kildare, Carlow, Wicklow, Wexford, Clare, Galway, Mayo, Leitrim, and Cavan; also, in the cities of Dublin, Cork, Limerick, Waterford, and Kilkenny.

"The bulk of the work, therefore, is done, and the Government can have the less difficulty in transferring the burden to the imperial treasury. The grand juries would do well to petition parliament on the subject, and we trust some of its influential members will be found willing to plead the cause of the meritorious body of public servants to whose case we now earnestly invite their attention.

"We are advocates for economy, but it is a miserable economy to require men of talent and education, obliged to occupy a respectable position in society, to do the kind of work which this valuation imposes for rates of pay that must keep them in a constant struggle for existence, in constant and harassing anxiety about their families, and in most painful and depressing uncertainty as to the future, for which there is no provision in case of sickness, old age, or death. This is the only department in which no allowance is made for length of service, and the rate of pay is so low that no provision can be made for the future; so that when any of its members is disabled or removed by death, his family are reduced to destitution, and there is no refuge for them but the workhouse. Surely this ought not to be the condition of any body of public servants, educated as these gentlemen are, and performing duties so onerous and responsible."—*The Advocate*, February 25; *The Armagh Guardian* and *The Tipperary Free Press*, February 27; *The Carlow Sentinel*, *The Roscommon Journal*, and *The Waterford Chronicle*, February 28; and *The King's County Chronicle*, March 4, &c., &c., inserted the above article, which is from *The Daily Express*, Feb. 21, 1857.

"THE IRISH VALUATION SERVICE.—When the question of civil service superannuation came under notice last session, reference was repeatedly and urgently made in these columns to the peculiar grievance affecting the officers of the General Valuation in Ireland. To the labours of these zealous public servants is due the basis on which many imperial interests are rested. They have completed a minute and faithful valuation of all rateable and other property in twenty-two counties and five of our cities. It is their standard which regulates the levy of our poor-rate and grand jury cess, and determines the qualification for the elective franchise. In various other important departments of the general government of the country the result of their exertions is valuable—for example, in the Court of Incumbered Estates and the office of the Income Tax Commissioner.

"But it is superfluous to insist upon the value of this service. That is not the object of our observations. We wish to reiterate our remonstrance against the exceptional manner in which the valuation officers are treated. For them there is no superannuation allowance; and the want of it is rendered more grievous in conse-

quence of the salaries they receive, from which it is utterly impossible to put by a trifle for a rainy day. The valuation office is conducted with the strictest economy—it should rather be said with remorseless parsimony—since, although the money for its maintenance is, in the first instance, given by the Treasury, it must be paid back by presentments levied on the counties. Under these arrangements the salaries are necessarily curtailed, for the ratepayers find it hard to bear all that is imposed upon them, and require that the work shall be done in the cheapest manner possible.

“The public voice must be earnestly raised on behalf of these men. It is particularly timely to discuss their complaints when the whole question of civil service superannuation is coming once more under debate. What we suggest is—and we have done so long ago—that the cost of the valuation, now nearly finished, should be placed on the consolidated fund, and that the officers of this service should be treated exactly as all other civil servants shall be dealt with when the present system of superannuations shall have been remodelled. We are jealous of placing new charges on the consolidated fund; but this is a case where simple justice demands that the ratepayers should be relieved from a payment made for the maintenance of a valuation now used mainly for imperial purposes.

“We trust, therefore, that the grand juries will move in the matter by petitioning parliament for the removal of the charge from the counties. Should this step be taken, we guarantee that Irish members will be found, when presenting these petitions, ready to plead the cause of the hardworked, ill treated, and neglected valuation officers, who have for years discharged their duties ably, spending their strength in the service of the country, with no better prospect than penury in the decline of life.”—*The Dublin Evening Packet*, February 26, 1857.

General Valuation Service.

We print an article on this subject from the *Daily Express*, every sentiment of which accords with the views so often expressed in this journal. The commonest knowledge of human nature might even teach stupid Government officials, that if you require any piece of work well done, you must employ competent workmen, and to attract such, a fair remuneration is necessary. The General Valuation Service of Ireland do not appear to have been dealt with fairly. Although they have done their work well, their masters have forgotten their duty in return, and in many cases the impolicy, injustice, or whatever else it may be called has recoiled on the heads of families deprived of their natural support, men driven to destitution by sickness or infirmity arising out of the service. This should not be. A great country, like England, can afford to remunerate her servants (she too often lavishes kindness on her enemies), and she could remunerate them, either by a sufficient pay in the present, or a superannuation allowance for the future. Grand Juries would do well to petition that the whole thing be left to the Treasury, as it is unquestionably an Imperial measure, and thereby relieve the county cess, and deal with the General Valuation of Ireland as with all other portions of the Civil Service.—*The Armagh Guardian*, February 27, 1857.

Grand Jury Taxation.

The redress of the numberless grievances of which Ireland has to complain is denied on various pleas, and amongst the rest, on the ground that we are less heavily taxed than England; but the question is, has the burden nevertheless not been too heavy for the camel's back? Are we as well conditioned,—have we as many sources of profit, emolument, or of easy subsistence, in any shape, as England? The question is an idle one. All the world knows that two-thirds at least of our population are barely able to live from hand to mouth, and that the rest revel in luxury on the labour of that numerous class which can scarcely devise means of subsistence at all. This being our position, who will blame us for doing all in our power to throw off as much as we can of the burden which our paternal Government, in its kind solicitude for our well-being, has thought fit to force upon our enfeebled and exhausted population? A grievous burden of this kind has, for instance, been kept upon our shoulders since 1626, by compelling us to pay, as an item of the Grand Jury Assessment, £48,000 annually for the sustainment of the General Valuation Service in Ireland. Why, let us ask, should the already over-taxed ratepayers be saddled with the expense incurred in keeping up this department of the Civil Service? For whose behoof and benefit, may we ask, are its arduous labours undergone? Certainly not for the people's. The Government desire to ascertain to a fraction the value of the rateable property of every rateable individual in the country in order that they might at a glance, as it were, know the amount of taxes of every kind they could levy for revenue purposes. The Valuation Office is, moreover, a reliable place of reference, where the true state of the electoral registry can be more easily and correctly learnt; and the ratepayers are, therefore, merely interested in a very secondary degree in the labours of the Valuation Office. Government get the information they require from the office, yet the people are assessed to pay the salaries of the officials, and for keeping up the entire establishment. This then is, to all intents and purposes, what may be termed, putting the saddle on the wrong horse; and a petition is, therefore, in course of preparation, calling upon the Legislature to make such provisions as will cause the Valuation Service to be henceforward paid out of the Consolidated Fund, and not by tax on the counties.—*Catholic Telegraph and Irish Sun*, February 28th, 1867.

Fair reward sweetens labour. Advancement is the life of the working man, as condemnation to a state of professional stagnation is the death. Without progress, or the hope of progress, human beings of whatever degree, languish, sicken, and die. It is a well-established fact, that active trade and the open professions, with their fluctuating gains and high prizes, stimulate the instinctive desires of mankind to improve their condition; whereas, on the contrary, fixed incomes, especially when measured so as to be barely sufficiently to procure absolute present requirement, and those of a moderate kind, have ever been found to depress, and ultimately destroy the instinctive energies. The cases of some classes of public servants exhibit in a strong light the effects of stationary position, and toil without the

remotest prospect of advancement. We allude especially to those persons engaged in what is called the Temporary Service of the public. When to correct the abuses of an old system, and to establish a new one which should insure fidelity, efficiency, and zeal, and to provide for the retirement of the incapacitated, the principle of remuneration, partly by salaries and partly by pensions, was adopted; it unfortunately happened that this principle was not extended to all, but that certain, and those not the least active and efficient, labourers for the State were excluded from its operation. From that period to this, many a gross injustice has been committed by simply giving to public services the name of "Temporary," and by thus depriving of their natural rights valuable and indefatigable officers, who have adapted special talents, and given the best years of their lives to their country. The unfairness of this procedure is probably in no instance more strikingly illustrated than in the case of the Irish Valuation Commission. This service, the first requirements of which originated the Ordnance Survey, has not only relieved the country from a system of levying rates the most iniquitous and difficult of application, and in its stead supplied one which in its working has been more than satisfactory; but it has also been auxiliary to other services, such as the Poor Law, Income Tax, Incumbered Estates, &c. Yet while these collateral and more recent services have, as it were, been established in houses the Valuation abides still in tents!

We have from time to time imposed upon ourselves the task of bringing to light some of the many harsh features of their duties, and we would now urge the justice and necessity of legislative interference in their case, which the establishment of an extensive and efficient redundant system in the Civil Service would fully meet. Were that accomplished, we feel that the pages of the history of Civil Services would never again be darkened by a document such as that issued by the Commissioner of Valuation in February, 1856, in which he says, 'I was obliged to pursue the same course (dismissal) on the completion of the different lines of new road constructed by the Government in the south of Ireland, between the years 1822 and 1828; also on the completion of the boundary department of the Ordnance Survey carried on from 1824 to 1824. Similar reductions were also made on the completion of the extensive works connected with the Shannon Navigation, and are at present being made in the number of engineers connected with the arterial drainage. I mention these circumstances to show you that yours is not a singular case.' But to the credit of the Commissioner be it recorded that he evaded, as far as possible, the necessity which constrained him. These discontinued from one service were transferred to another, and his sternness conceded to justice that 'the length and importance of the services rendered to the public by several of those whose connexion with this department must soon terminate appear to me to merit the consideration of the Legislature.'

Here we find virtually a redundant system. The skilled assistants, superfluous on one work, were rendered available on another, and hence the rapid and efficient progress of the Commission. But

now we are told the final scene is at hand. The Commissioner cannot at so advanced an age undertake new enterprises, and supply fresh avenues into which he may draft his old but redundant hands. It remains an inevitable necessity to transfer the service to the Government, if, indeed, it be sound policy to provide the best available civil servants for the public business.

In the legislative measures which must shortly be placed before the country, we would strongly urge the consideration of this vital point—the cancelling of the word “Temporary” from all Civil Services in reality “permanent.” Let the scale of time by which pension is granted be the test of permanence, as we urged in a former article, and let an efficient redundant service, under a board of directors, be established to meet the necessity of extra work for any department. Should that be done, we believe it will be found that no department will supply better writing clerks, arithmeticians, draughtsmen, and mathematicians than the service of the General Survey and Valuation of Ireland.”—*The Civil Service Gazette*, February 28, 1857.—(*The Advocate of March 4* inserted the above article.)

“GRIFFITH’S VALUATION AND THE GRAND JURIES.—In the year 1830 a commission was appointed, under an Act of Parliament, to make a uniform townland valuation of Ireland, with a view to the more equal levying of county cess and local rates. The valuation has been completed, at vast labour and cost, in seven-and-twenty counties. The whole expense, although in the first instance borne by the Government, has since been levied off the counties, for the benefit of which the valuation was instituted. Five counties remain in which the work is still going on, and will soon be brought to a close. When all is finished, and the bill paid, the question remains—will this commission close? Will Mr. Griffith, after thirty years’ Commissionership, retire to enjoy in peace the snug fortune he has amassed in the public service; while the poor underlings, who have borne the labour and heat of the day, withdraw to holes and corners to starve and die unnoticed, after the devotion of the best years of their life to a service into which, under the delusion of false hopes, they may have entered some five-and-twenty years ago.

“It would appear, from recent legislation, that this commission is not to close—in fact, that it cannot close. So valuable has the result of its labours become to the general government of the country, that provision has been made in several Acts of Parliament for an annual revision of the valuation, and for new valuations, at stated periods. Whence has arisen the necessity for this? The original design of this valuation has, in fact, been superseded by objects of imperial interest, to which it has been applied, and for which it is now considered indispensable. It is the foundation of the elective franchise—succession and legacy duties are levied according to its standard, as also the income tax—so that the collection of this impost has been rendered far more easy and regular in this country than in England, and has, beyond all doubt, saved the imperial Treasury a much larger sum than annual revisions for many years to come will cost.

“It is high time that the attention of the Legislature should be directed to the anomalous character of this commission. If the con-

tinuance of its labours is considered essential to the government of the country, it should be replaced by a properly constituted branch of the Civil Service. Such a settlement of the question would not only rid the Irish counties of a burden which cannot in equity be imposed on them, but would also be the means of rendering an act of simple justice to a deserving body of public servants, who are at present placed in a position of extreme hardship, being liable to be turned adrift any day without a penny by way of pension or compensation, because, forsooth, their employment is temporary, although, in several instances, it has endured for upwards of a quarter of a century. This is a cruel return, and unworthy of any government, for the useful labours of men, many of whom have spent their health and strength in the public service.

"We recommend this question to the consideration of the Grand Juries of Ireland, and we cannot but believe that a vigorous and combined effort on their part will procure a final settlement of it during the present session of Parliament. Let each Grand Jury send forward a short petition, and let the county members but do their duty, and we answer for it that the Government cannot resist the passage of a measure, the justice of which is so simple and so obvious."—*The Evening Mail*, March 4, 1857. (*The Westmeath Guardian*, March 5; *Sligo Journal*, March 6; *The Advocate*, March 7; and *Limerick Chronicle*, March 7, copied the above.)

"'A Ratepayer' declares he will withhold his vote from any candidate who will not pledge himself to endeavour to have the future maintenance of the General Valuation Office paid for out of the Consolidated Fund. 'A Ratepayer' is right. The General Valuation is now mostly used for imperial purposes, and should, therefore, be paid for out of the Imperial Exchequer. We shall attend to this matter at the proper time. Meantime we are glad to see the Grand Juries bestirring themselves on the subject."—*The Nation*, March 21, 1857.

"The gentlemen employed in the service of the General Survey and Valuation Commission of Ireland are, we perceive, awake to the necessity of exerting themselves, and of enlisting support both in Parliament and the press for their forthcoming struggle for justice. As usual with persons who have the will, and go about their work in earnest, they have obtained an encouraging success. The Irish papers, so discordant on other subjects, are marvellously agreed upon the question of the grievances and claims of the valuers, draughtsmen, and assistants attached to this important national service; and members of Parliament and candidates for seats in the Legislature have freely pledged themselves to co-operate in pressing upon the Government the propriety of giving a favourable consideration to the case of the Valuation corps. The members for the city of Dublin, Messrs. Grogan and Vance, and the candidates for the county of Dublin, Messrs. J. H. Hamilton and Colonel Taylor, besides Mr. Magan, member for Westmeath, and several others, have spoken out boldly. Mr. Hamilton in one of his addresses said:—'There is a highly respectable class of gentlemen, who are employed in carrying on the Valuation of Ireland, and who consider themselves to be labouring

under a hardship. I am anxious to state publicly that, not only with respect to them, but to every other class so circumstanced, I will render every assistance in my power to obtain the relief which they seek ;' and Colonel Taylor, referring to these remarks, observed :— ' With reference to the Civil Service Superannuation, I quite agree with all that my friend Mr. Hamilton has said, and the subject shall receive our best attention.' We might quote several other declarations did our space permit. With regard to the Press, the opinion in favour of this ill-used class of public employés is unanimous. The *Advocate*, in its last number, says :— ' We are glad to find that Mr. Grogan has undertaken to deal with the Civil Service in this country, and expressed his determination to support the claims of the gentlemen employed on the General Valuation of Ireland. We entirely concur with Mr. Grogan's views on this important subject, and look upon the case of these gentlemen as one of peculiar hardship. We are also of opinion that, from the nature of the duties, the permanent character which the work has assumed, and its general applicability and usefulness for State purposes, those employed thereon should be placed on a similar footing with the other Civil Servants of the Crown in this country. This would have the effect of relieving the several counties from a considerable amount of taxation, and is a question in which Irish members of all shades of politics can agree.' Another Dublin paper, the *Nation*, likewise last week, in referring to the subject of the justice of having the expenses of the General Valuation borne by the Imperial Exchequer, as it is now chiefly used for Imperial purposes, observes :— ' We are glad to perceive that Mr. Grogan has signified his intention of taking up this subject. Here is neutral ground, not only for political but for mercantile men, and we hope they will not hesitate to occupy it. The mayor, magistrates, and merchants of Liverpool have, as we announced some weeks ago, taken the initiative in a most important movement, in favour of the Civil Servants of the Crown, and the town-councils and mercantile bodies of other important cities, towns, and ports in England and Scotland are preparing to follow the spirited example thus set them. The capital of Ireland, too, we are happy to say, is not going to be behindhand, and the Roes, Guinnesses, Pims, Bewleys, Oodds, Huttons, Jamesons, McDonnells, Darceys, Kingston-Jameses, &c., are about to make a demonstration in favor of a speedy and equitable settlement of the heart-burning Superannuation question.'—*The Civil Service Gazette*, April 11, 1857; *the Saunders' News-Letter*, the *Nation*, and *the Advocate* of April 18th, inserted the above article—also the *Mail* of April 17th.

The above extracts place so vividly before us, and in such fearless and nervous language, too, the wrongs they would expose, that it requires not the assistance of our pen to comment on them.

We call on every member of Parliament, no matter what hue his political bias may assume, to stand forward, during the present session—for at no future period will the subject

be more ripe for legislation—and to insist on a prompt and equitable adjustment of those well-founded claims. We feel assured if they do so, that the Government can no longer, on any equitable grounds, postpone this measure; and we consequently anticipate that, before the expiration of the present session, there will be a satisfactory solution of the difficulties which seemingly surround the question.

The Grand Juries, we are glad to perceive, have taken up the initiative, and many have petitioned to be freed from the anomaly of paying out of the local funds for a service acknowledged to be chiefly useful for Imperial purposes, and, had not the General Election been concurrent with the Assizes, the petition would have been universal. We give underneath a copy of a petition from *The Evening Mail* (Waterford), and recommended for adoption by many of the other provincial papers:—

“The PETITION of the GRAND JURORS of the County of —

SHewETH,—That it appears from an Official Return presented to your Honorable House in the month of April, 1856, that up to that period the total cost of the General Valuation of Townlands and Tenements in Ireland had amounted to £357,433, which large sum was defrayed by the several Grand Juries out of local rates.

“That the same Parliamentary Return shows that the cost of revising the Valuations, for twelve only of the thirty-two counties, had amounted to £4,799 for the year ending on the 31st December, 1855.

“That the General Valuation of Ireland, though originally designed solely for the collection of County Rates, is now extensively applied and used for important Imperial purposes—such as the collection of Income Tax and Succession Duty, and Duty on Spirit Licences; also, the Regulation of the Elective Franchise.

“That the Grand Juries of the several counties in Ireland have no power whatever to control the said Valuation, or the expenses thereof, the exclusive control and management being absolutely vested in the Government authorities, who alone can check and apportion the expenses, appoint or dismiss the several officers, and regulate their respective salaries.

“That it is not just to compel the Grand Juries of Ireland to present annually out of local rates for maintaining a staff and machinery which are now employed chiefly for Imperial purposes, more especially as the main expenses of instituting the system of a General Valuation have been already defrayed exclusively out of local rates.

“Your Petitioners therefore humbly pray,

“That, having regard to the foregoing statements, the local rate-payers may be relieved from the further maintenance and cost of an Annual Revision of the General Valuation of Ireland, and that all

future expenses of such Annual Revision may be defrayed out of the general funds of the empire, which now derive the chief benefits thereof.

"For Self and Fellows,

"_____, Foreman.

"Grand Jury Room,

"Spring Assizes, 1857,"

—*The Mail, Waterford, February 26, 1857.*—(*The Advocate of March 7, inserted the above.*)

We fear we have exceeded our space in thus dilating so minutely on this subject, but we have been induced to do so by the deep anxiety we feel to have wrongs redressed, be they national or otherwise, and our sympathy with these gentlemen has been increased manifold by a perusal of the pamphlet through which we have attained a knowledge of the service performed for the country, of the amount of which we had no previous knowledge.

But, before concluding, may we ask what says the Commissioner of Valuation at this particular juncture? We are anxious to ascertain how his pulse beats on this subject. We know Dr. Griffith as a public man, and, as such, he stands pre-eminently high, with a character *sans peur et sans reproche*. His mission has been a high one, and nobly has he redeemed it. He has fulfilled a glorious destiny in thus erecting a monument to his own memory which no ribbon or bauble in the gift of princes could compete with; for what can vie with the imperishable work of genius? His was not the labor of a few years; neither was it any sudden discovery in science or machinery. No; it was the patient, enduring industry of many, many years, and the perfection of a work that none but a master-mind could achieve. We said above that Dr. Griffith had raised his own monument. Yes, truly, he has done so, but it still wants the apex to crown the structure—the permanency of that office, to which his name is and ever shall be allied, is still required before the work can be complete.

Stand forward, then, Dr. Griffith, still in the plenitude of your unclouded intellect; break the official shell by which you allow yourself to be encrusted; and boldly, truthfully, and manfully plead the cause of those wronged and ill-requited servants of the State, with whom you have worked so nobly and so well. You are accountable to posterity if you permit the golden years still before you to go for nought.

In civil, as in military tactics, the discrimination observable in the selection of officers is the strongest proof of superiority of intellect and maturity of judgment. In this, as in every other way, has Dr. Griffith proved his able generalship. Eminent in character, as in position, stands his General Superintendent, Mr. John Ball Greene. When we consider the firmness of character, earnestness of purpose, and urbanity of manner by which this gentleman is characterised, whose duties are more than ordinarily onerous, owing to the temporary position of his employes; when we see strict discipline, tempered by kindness of heart, giving an impetus to labor; and leniency, in the guidance of the official helm, increasing the zeal of the labourers, we are tempted to exclaim, how prudent and efficient must that officer be, under whose judicious guidance the work of the country thus progresses, both in office and field! All, and more than all, we have adduced, when speaking of the General Superintendent, is evidenced by the skill, tact, and ability shown in the administration of the office itself, and which a retrospect of the past five or six years will enable even the most casual observer to notice. Whilst bestowing this well-merited encomium on the two gentlemen we have named, we do not mean to pass over any of the officers holding a prominent position in this department. Each and all deserve their meed of praise—aye, even to the humblest employed in the service. We merely particularise Dr. Griffith and Mr. Ball Greene as being the most responsible officers, and justly consider the praise bestowed on them a reflective praise which may be participated in by all who are tried and trusted by men possessing the characteristics we have enumerated as the attributes of those gentlemen.

With those gentlemen we are personally unacquainted, knowing them only through the medium of their public character, and from facts concerning them which have been brought prominently before us.

The length and breadth of the land bears the impress of the Valuation officers' labors; and feeling deeply for the injustice with which they have been so long treated, we conclude with the again-repeated hope that the present session of Parliament will not be permitted to pass away without the necessary legislative measures being

introduced to remedy these shameful wrongs. Whatever be the vices of our rulers, we should be sorry to suppose that indifference to the fate of their tried servants can be ranked amongst them.

APPENDIX.

SCOTT AND THE WAVERLEY NOVELS.

(See page 503, *ante*.)

TO THE EDITOR OF THE TIMES.

SIR—I observe in the *Times* of June 5, a manifesto from Miss Scott and her sisters, contradicting a “surmise” that their parents had a share in the authorship of the ‘Waverley Novels.’ It is odd that the late Thomas Scott’s son and representative, Colonel Scott, should withhold his signature from that document. The denial, however, so far, will doubtless influence the views of many persons; but I confess that my conviction on the subject, *as well as the convictions of several members of the late Mrs. Scott’s family*, remains unshaken. A serious difference of opinion, and of policy exists among the relations respecting this important literary question, and the course to be pursued. One of them, in a letter to me, says, “Why seek to stifle the elucidation of truth?”

I shall regard this proceeding from the most courteous point of view. My pamphlet connects Captain and Mrs. T. Scott with the earlier novels only. Of these, the first appeared exactly forty-four years ago—a period probably before the ladies who have addressed the *Times* were born, or when they must necessarily have been exceedingly young. In their letter they declare that no literary participation whatever, “less or more,” took place between their parents and Sir Walter—totally forgetting, or, more probably, totally ignorant of their uncle’s published admission that some of Thomas Scott’s literary labor is embodied in “Peveril of the Peak.”

In “Moore’s Diary” (Vol. II, p. 199) it is recorded, on the authority of Samuel Rogers, that “when Wilkie was taking his portraits of Scott’s family, the eldest daughter said, ‘We don’t know what to think of these novels. We have access to all papa’s papers. He writes everything in the midst of us all, and yet we never have seen a single scrap of the manuscript of any of these novels.’”

Now, if Sir Walter Scott’s daughters remained for years in profound ignorance of their father’s intimate connexion with the

novels, how much more likely is it that Thomas Scott's daughters should not have become acquainted with the fragmentary literary aid, contributed from Canada forty years ago, to the same mysterious compositions?—the more so when remembered that obvious prudential reasons prompted the utmost secrecy. My *brochure* repeatedly refers to the mystery in which the transaction was wrapped, as also to the allegation (p. 99) that, "not even Sir Walter's children; or Thomas Scott's children were let into the secret."

More than half a dozen veteran brother officers of Captain Scott—men of strong judgment and untarnished honor, who possessed his confidence and friendship, and who have been raised to almost the highest military dignity—have separately published in my book a chain of clear, positive, and highly interesting evidence in substantiation of that which I originally ventured, on merely circumstantial grounds, to conjecture. And I do absolutely defy any attentive reader, no matter how prejudiced he may be, to go through the pamphlet, without his views undergoing considerable modification. They who have not yet seen the work, know not its strength, nor can those unacquainted with the contents comprehend the cogent reasons which caused the secret to remain so long, and so carefully preserved.

Even assuming, which is unlikely, that Captain Scott's children were let into the secret, I conceive that their contradiction is far from a conclusive settlement of the question. Sir Walter himself—a man, in general, of great honor and veracity—never scrupled to deny, even "*upon his honor*," that he had any participation, less or more, in the authorship of the *Waverley Novels*. This fact is mentioned in "*Rogers' Table Talk*" (p. 193), and in "*Moore's Diary*" (p. 199). The great man would appear to have been one of those who regard broad equivocation, in literary transactions, as a very venial offence.

It is nearly two years since I publicly started the question. Mr. French's writings, and mine, were known to the daughters of Thomas Scott. If the theory is untrue now, it was equally untrue then; and why not have nipped the bud by a resolute public denial? Why allow public opinion to intensify for two years? My conviction is that conflicting views prevailed to such an extent among the family, that it is only now, on "the day after the fair," that even three members of it could be induced to sign the contradiction.

My attention has been directed to a manuscript letter of Miss

Scott, in which she very justly speaks in terms of the utmost veneration for 'dearest uncle Walter,' and ardently desires that his fair fame should, if possible, be added to. Miss Scott evidently considers it no ordinary duty to come forward zealously to (what she conceives to be) his support. She does not appear to understand my views—namely, that if others supplied the bricks and mortar, he built the edifice—but imagines that my researches aim to tear down the laurels which shadow the great man's grave. While I admire the watchful zeal evidenced by Miss Scott, and her sisters, I cannot but regret that they and others should have so widely misunderstood my motives.

When the question was agitated in *Notes and Queries*, so far back as 1855, Mr. Edgar MacCulloch (Mrs. T. Scott's cousin, and himself an able literary writer), after praising her strong mental powers, remarked that it was quite 'generally thought in her family that she had supplied many of the anecdotes and characters which Sir Walter worked up;' and in proof of this statement, Mr. MacCulloch adduced some curious evidence: In a recent letter he says—'My belief now is that she did much more than merely collect the bricks and mortar with which the house was built, and that by far the greater part of the handiwork and ornament was her own.'

And now let me examine this tardy contradiction. Does it say 'we have heard our parents repudiate the report, or 'evidence and letters from our parents can be produced, denying any participation in novels?' Not a bit of it. The manifesto merely says—'*We* desire to offer *our* contradiction;' and again—'*We* shall be obliged by your publishing *our* declaration.' Individual opinion, or mere assertion, unsupported by proof carries no weight. The recent letter of Colonel MacDonell, C.B. (Lord Arundell's brother-in-law, published at page 42 of my work), gives, with ample detail, the memorable confession on the subject, made by his dear deceased friend, Captain Scott; and another old comrade, Major Sweeney, deposes to having conveyed, in 1817, a huge mass of 'Waverley Novel' MSS. from T. Scott, in Canada, to Sir Walter, at Abbotsford. But it is useless to cite further proof. My pamphlet furnishes ample evidence establishing the fact that both the late Captain and Mrs. Scott occasionally admitted that a literary participation took place between them and their illustrious relative; they never contradicted an impression which many of their friends, and various literary persons assure me has existed for

the last forty years. And, moreover, they never contradicted the letter (pp. 46 to 48) which appeared in the newspapers under their very eye, exhibiting, on striking evidence, the secret of the literary 'participation,' and which even embodied oral admissions on the subject made by Captain and Mrs. Scott themselves.

Evidence should be met by counter-evidence; and until this is forthcoming, the reflective portion of the public will retain 'their own opinions still.'

I am, sir, your obedient servant,

W. J. FITZPATRICK.

P.S.—I have this moment received a letter from an officer of considerable distinction, rank, and scholarly attainments. His evidence appears in the pamphlet. Speaking of an old friend of Captain Scott, whom I had not been fortunate enough to hear of sooner, my respected correspondent says: "It is satisfactory to know that he entertains the same opinions that all the other friends of Thomas Scott hold on the subject of the novels. He will shortly write to you himself on the subject. We happened to be together in the club-room when our attention was directed to the article in the *Times*, signed 'Thomas Scott's Daughters,' and we both agreed that it did not, in the slightest degree, cause us to alter the opinions we had already formed."

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ART I.— ODD PHASES IN LITERATURE.

FIFTH PAPER.*

1. *L'Origine de l'Imprimerie de Paris.* Paris : 1694.
2. *Essai sur les Livres dans l'Antiquité.* Par H. Géraud. Paris : 1840.

Amongst the PECULIARITIES APPERTAINING TO ANCIENT WRITINGS, the writing which bore the name of *bonstrophedon* † is remarkable.

In this system of writing, the first line was traced from the left to the right, the second from the right to the left, the third from the left to the right, and so on.

Writing from left to right, in use at the present day amongst the inhabitants of the West, was introduced amongst the Greeks by Pronapides of Athens, whom Diodorus of Sicily pretended to have been the preceptor of Homer. It was afterwards adopted by the Latins.

The form of writing in the ancient Greek manuscripts and inscriptions presents a very striking dissimilarity to the Latin writing. Whilst the Greek characters are in general small, close, and correct, the Latin characters are long, large, and the

* For the other papers of this series see IRISH QUARTERLY REVIEW, Vol. vi, No. 23, p. 439 ; No. 24, p. 647 ; Vol. vii, No. 25, p. 1 ; No. 26, p. 267.

† From two Greek words, *βοῦς*, ox, and *ερεῖπον*, to return. This phrase, according to the Benedictines, is perfectly characteristic of the operation of the laborer guiding a plough drawn by oxen, who after having traced his first ridge, forms it at the other side, and in that manner pursues his labor, till he has finished the line. A specimen of this species of writing may be seen in vol. xxiii, p. 403, of the *Mémoires de l'Académie des Inscriptions*, the fac-simile of the inscription of Amyclæus.

distance altogether irregular. Thus, in the fourth century, St. Jerome called certain Latin Manuscripts, the characters of which were of enormous dimensions, pregnant letters. The Latin scribes were very inferior to the Greek; we do not see in fact any of their works figuring among the prodigies of caligraphy mentioned by authors of antiquity. Aelianus tells of a man who, after having written a distich in letters of gold, could enclose it in the rind of a grain of corn. Another caligrapher traced some verses of Homer on a grain of millet.

"Cicero," said Pliny, "relates having seen Homer's Iliad written on parchment which could be enclosed in a nut shell." This latter fact would be regarded as incredible amongst the moderns, notwithstanding a proof exhibited by Huet, before the Dauphin and his court, to whom he demonstrated that a bit of vellum, sufficiently slight, of a quarter of a yard in length by nine inches in width, could on both sides contain about 15,000 lines and be easily enclosed in a nut shell of moderate size.

No matter how the incredulous may cavil at what certainly appears all but impossible, there is a fact which none can question, or dream of contesting, and that is, that the characters in writing can be drawn with a minuteness equal to the smallest print.

The *Maxims* of La Rochefoucauld, printed in microscopic characters, at the establishment of the younger Didot, in 1829, comprised 26 lines of 44 letters on a page of 951 millimetres square. Now, the Iliad contains about 15,210 lines, and each line comprising 33 letters, which would make a total of 501,930 letters. Or, if a square of paper is taken of 435 millimetres, sideways, that is to say of 189,225 millimetres square, what the first and second leaf would doubly comprise ought to be 378,150.* By a very simple calculation we may thus perceive that the space is more than sufficient to contain the entire Iliad; and nothing could be easier than to inclose a paper of such dimensions in one of those nuts where for 30 years women have kept their ball gloves; nor was the slightest abbreviation necessary.

We are about to cite some examples to prove that the caligraphy of the present day is in no point inferior to that of antiquity.

* A metre is about equal to a yard, a millimetre is the thousandth part of a metre.

They have shown, and probably exhibit to the present day, at St. John's College at Oxford, a sketch of the head of Charles the First composed of written characters which, seen at a very short distance, has all the appearance of an engraving; the lines of the countenance and the ruff contained the Psalms, the Creed, and the Lord's Prayer. In the British Museum we believe there is a drawing about the width of the hand representing the portrait of Queen Anne; lines of writing are distinguishable on this design, and each time it is shewn care is taken to exhibit a folio volume containing precisely its contents.

"I have seen," said Menage, "several figures and likenesses taken in this manner, such as that of Madame la Dauphine drawn in a car crowned by a Victory in the air. They had there also other hieroglyphical figures bearing reference both to her and Monsigneur. All formed a square picture of a foot and a half, and what appeared to be the mere ordinary lines of the features, were formed by small and capital letters of such surprising delicacy that both the figure and the face of Madame la Dauphine, had a striking resemblance to a most beautiful print. Finally, all these letters composed an Italian poem of several thousand lines in praise of this Princess. The author was an officer of the Nuncio, Cardinal Ranucci." Very many designs of this species might be cited. Of this class were the portrait of General Kœnigsmark, which contained the life of this warrior, and the *Christ* of Pozzo in which was written the Passion according to St. John.

There is still in existence at the Imperial library of Vienna, a sheet of about eight feet in height by six in width, and which contains on one of its sides alone five books of the Old Testament written by a Jew; namely, *Ruth*, in German; *Ecclesiasticus*, in Hebrew; the *Canticle of Canticles*, in Latin; *Esther* in Syriac, and the *Deuteronomy* in French.*

According to the general opinion of the present day it is the Roman alphabet, more or less modified, that enables us to trace all the type employed in Europe since the invasion of the Barbarians.

* P. Bales, a celebrated English Caligrapher, presented in 1575 to Queen Elizabeth, a ring, the bezel of which was about the size of an English farthing, and had written on it in very legible writing the *Lord's Prayer*, the *Creed*, the *Ten Commandments*, two short Latin prayers, his name, a device, the day of the month, the year of our Lord, and that of the reign of Elizabeth.

Before the Roman conquest, the Gauls employed the Greek characters, and in preserving some of them at a later period they employed the Latin alphabet.

The writings which have been in use in France since the invasion of the Barbarians have been divided chronologically into two periods. One extends up to the end of the twelfth century, the other from the commencement of the thirteenth to the fourteenth. We shall now enter into a few details on this subject. The writings of the earlier period were divided into *Capital*, *Uncial*, *Minuscule*, *Cursive* and *Mixt*.

The writing *Capital* was merely the capitals employed at the present day for the frontispieces and titles of books. They rarely present themselves under a regular form in the manuscripts which were not posterior to the eighth century, when they were altogether in capital letters.

The writing *Uncial** is formed of capital letters the greater number of the outlines being rounded and differing from the *capital* by the form of some letters. All manuscripts (with the exception of the liturgy or ornamental illuminated) entirely written in *Uncial* are anterior to the ninth century.

The writing *Minuscule* corresponds to the *Roman* of our printing. Employed under the Mérovingians, it attained a high degree of perfection under Charlemagne and his successors.

The writing *Cursive* differs very little from the *Roman cursive*. It is to be met with in all the letters patent of the Kings of the first race. They apply to the cursive, a writing extremely slim and immoderately high, the title of *allongée*, which was in vogue from the eighth to the thirteenth century, whilst the writing *tremblante* is that in which the lines of all the round letters appeared to be shaking. This latter writing was introduced in the eighth century, and became less frequent towards the end of the eleventh, and was abandoned altogether in the century following.

The writing *Mixt* is thus named from having borrowed its characters from those mentioned above.

The writings of the second period, to which they have very improperly given the name of gothic, have been like the former divided into capital, minuscule, cursive and mixt.

The writing *Capital*, used frequently in inscriptions on

* It is thus named from the Latin *uncia* which signifies the twelfth part of the Roman foot.

bronze or marble, is very rarely discovered in the manuscripts of the thirteenth, fourteenth, or fifteenth centuries.

The writing *Minuscule* was distinguishable by breaking the lines which were straight or crooked in the writings of the preceding centuries. It has been employed in the books having reference to the church from the time of Saint Louis up to that of Henry IV.

The writing *Cursive*, which dates from the second half of the thirteenth century, had for its distinctive character negligence of forms, irregularity of letters and of abbreviations.

The writing *Mixt* subsequent to the first years of the fourteenth century, participated at the same time of the properties of the minuscule and of the cursive.

The use of periods or stops in order to mark not alone sentences but words, dates from the most remote antiquity. Each word is followed by two points in the celebrated Eugubine tables in Etruscan characters, and of one only in the same tables in Latin characters. The words of an inscription found at Athens, and which dates from the year 450 before the Christian era, are separated by three stops placed perpendicularly. In some other inscriptions the stops are differently disposed, horizontally, obliquely, in a triangle, in a lozenge, in a square, &c., or replaced by different figures, such as of branches or leaves, of circles, roses, hearts, &c. This latter species of punctuation was most frequently used in the manuscripts to indicate the end of the discourse.

Amongst the ancient Danes the end of the period was indicated by the mark ||, and when a new sentence was commenced they placed at the top a figure of the moon.

The correct arrangement of punctuation has been attributed to Aristophanes of Byzantium, who lived 200 years before Christ. This grammarian was the first who marked the different parts of the discourse by means of a stop placed sometimes above, sometimes below, and occasionally in the middle of the last letter of the sentence which corresponded with the divisions admitted by the ancients, and to the marks employed at the present day : the comma, the colon, and the full stop. Some vestiges of punctuation may be discovered in several manuscripts of great antiquity ; but a very great number are deficient in them, for this was the business not of the transcriber, but of the correctors. Connoisseurs of books and studious men were the only persons who punctuated the copies they employed,

"The manner best known," said the Benedictines, "of punctuating in the earlier ages, was by writing in sections, and thus distinguishing the various portions of the discourse. Each section or verse was comprised in a line which the Greeks called *orixas*, so that when counting the verses they discovered the number of lines contained in each volume. After the example of Cicero and of Demosthenes, Saint Jerome introduced this distinction by sections or verses in the Holy Scriptures in order to facilitate the reading and understanding them by the simple faithful. Frequently they placed at the commencement of a new sentence or verse a letter a little larger, or more forward than the other lines. The empty space in white supplied another mode of punctuation, and this was the most ancient manner, as soon as they marked the point when the reader took time to breathe, they placed a stop which rendered the discourse perspicuous.*

Alcuin, in the schools he had under his direction, had this inscription placed over the benches intended for the copyists:—

Hic sedeant sacræ scribentes flamina legis...

Per cola distinguant proprios et commata sensus,

Et punctosa ponant ordine quisque suo.

The rules of punctuation were not, however, universally observed till the sixteenth century, and the early printers were not very faithful in noting them.

It is also to the ancient grammarians we owe the turned commas known at first under the denomination of *Antilambda*, the colon, the *parenthesis*, and the asterisk. The signs of accentuation in the Greek language have been also attributed to Aristophanes of Byzantium, marks which during a long period were only employed in manuscripts intended for scholars. Montfaucon affirms that he never came across any of those manuscripts anterior to the seventh century. As to the accents of the Latin language, they are a modern invention, and are not to be seen in any manuscript. They had no other object but to facilitate to young persons the reading of the authors, and the good editions of the classics contain them up to the present day.

MATERIALS AND IMPLEMENTS SUITABLE FOR WRITING.—Nothing could be more varied than the substances employed by different nations for writing. The three most in favor we shall place before the reader. Inscriptions on stone destined to transmit historical facts to posterity have been too generally used in all times and in all countries to detain us in description :

* See *Nouveau Traité de Diplomatique*.

Jaspar, Cornelian, Agate, &c., were even employed. Among the collection of antiques in the Royal Library, Paris, might be seen a cone of basalt, covered with caneiform characters. It was found in the Euphrates.

The Babylonians during more than seven centuries, according to Pliny, consigned to bricks their astronomical observations; the greater number of the European museums possess some of those bricks laden with writing taken from the ruins of Babylon. The painted earthen vases were in very frequent use amongst the Greeks; they have been found in considerable heaps in certain parts of Egypt. They are covered with Greek characters, and served as an acquittance from imposts. In general they date from the very earliest period of our era.

Bronze was not only useful in preserving treaties, contracts and other documents of this description,* but it was also employed for letters of recommendation, furloughs granted to soldiers, &c. It appears that the Romans had even books of bronze. Such were the books deposited in the Archives of the Emperor, and where, according to Hyg  nius, were consigned the grants made to the colonies, the measurement and boundaries of the territories conceded.

The use of lead was not less frequent or less ancient than that of bronze. "Who will grant me," cried Job (ch. xix. verses 23rd and 24th) "that my words may be written? who will grant me that they may be marked down in a book? with an iron pen and in a plate of lead, or else be graven with an instrument in flint stone?"

"The Beotians," said Pausanias (book ix) "shewed me a roll of lead on which all the work of Hesiod was written, (*The Works and Days*) but in characters that time had very nearly effaced."

The Ancients understood the process of reducing this metal into very thin sheets or leaves; before papyrus was known in Italy, it appears, according to a passage from Pliny, that the public deeds were deposited in volumes of lead.

The decrees of the Senate bearing reference to the emperors, were, during a lengthened period, graven on books of ivory; black ink was most frequently used when writing on this

* There is preserved at Lyons a copy on bronze of the discourse pronounced by Claudius, in 48, apropos to the adjunction of the Senate with the principal inhabitants of *Gallia Comata*.

latter substance ; this method was adopted principally by those whose sight was failing.

The use of tanned skins dates to a very remote period, and was spread amongst all the nations of Asia, the Greeks, the Celts, and the Romans. They have in preservation at the Library of Brussels a manuscript of the Pentateuch which is believed to have been written anterior to the ninth century. It is written on fifty-seven skins stitched together, which form a roll of about thirty-six metres in length.

Petrarch had a leather vest, on which he wrote during his walks, when paper or parchment failed. This garment, covered with erasures, was still, in 1527, preserved as a precious relic by Cardinal Sadolet.*

The intestines of animals have also been occasionally employed, Zonare, in chap. 2 of the book 14 of his *Annales*, relates that the library of Constantinople, which was burned under the Emperor Basiliscus, contained the *Iliad* and *Odyssey* of Homer written in golden letters on an intestine of a serpent one hundred and twenty feet long. The Ambrosian library of Milan contains probably to the present day a diploma in letters of gold on the skin of a fish.

It is to the middle of the twelfth century, according to several writers, that we may date the invention of parchment, prepared from sheep skins.†

If it was not invented at Pergamos, it was in this city at least that it was brought to perfection, whence is derived the Latin name of *pergamenum*

Beside the white and yellow parchments, the ancients employed purple, blue, or violet parchment. These latter were designed to receive characters of gold and silver ; several of them have been preserved at the Royal Library.

The most ancient manuscripts that we know are written on parchment ; the laws written on this material date only from the end of the seventh century ; they attained sometimes enormous dimensions. Thus the schedule of enquiry against

* This custom of writing on garments was perhaps common to the middle ages ; we have read of an Abbe recommending to his monks, when they discovered a work of Saint Anastasius to transcribe it on their habits if paper failed.

† Calf-skin, as its name indicates, is manufactured of the skin of the calf. The ancients do not appear to have distinguished it from parchment.

the Templars, which are preserved in the archives of the kingdom of France, were about twenty-three metres in length.

Parchment became very rare towards the periods which preceded and followed the invasions of the Barbarians. This scarcity was caused by their carrying away during the various quarrels the original writings; this destructive custom by which we have lost so many scientific and literary treasures, originated with the Romans, and continued until the invention of paper constructed from rags. The manuscripts which had received two writings were called *palimpsestes*.

We are indebted to short hand for the revival of several original writings; by this means have the fragments of Livy been preserved, the treatise of Cicero on the Republic, the Institutes of Gaius, &c. The parchment which united whiteness to fineness may be regarded as anterior to the twelfth century.

According to Pliny, the leaves of trees were the first substance on which characters were traced. Volumes have been formed out of the leaves of the palm and the mallow. It was on the leaves of the olive (*petala*) that the Syracusans wrote their opinions.*

The natives of Persia, of India and of Oceana, write still on leaves of trees. Amongst the Maldives the leaf of the makarekan is used, which is a yard in length, and about half a yard in width. The Royal Library is possessed of several manuscripts on the leaves of trees, some of which are varnished and gilt.

Up to about the close of the sixth century, the internal and external bark of various trees were used,† books even were made of them.

The most ancient written memorials which we possess at the present day have been written on wood. An inscription engraved on a plank of sycamore taken from the coffin of Mycerinus, king of Egypt, found in 1837, in the third pyramid of Memphis, and which is actually in England, dates, according to English authority, as far back as five thousand nine hundred years.

* Whence originated the word *petalism*, which amongst them had the same signification as *ostracism* among the Athenians.

† Saint Jerome, Cassidore, and Isodore of Seville, maintain that the signification of the Latin word *liber* had its origin from this custom, which dates from a remote period.

Before the invention of their paper, which dates close to two thousand years, the Chinese wrote on planks of wood and on tablets of bamboo, some of which are preserved to the present day by the Chinese themselves as precious souvenirs of antiquity.

We find also in Greece and in Italy the custom of engraving monuments of importance on planks of wood. Towards the middle of the first century of our era there was still in existence at Athens, in the Prytaneum some ruins of the tables of wood (*axones*) on which four hundred years before Solon had written his laws. These tables, united in the shape of quadrangular prisms, and crossed by an axle, were at first set up perpendicularly in the citadel, where turning with the slightest effort on themselves, they presented successively the entire code of laws to the eyes of the spectators. Those of Draco were undoubtedly also carved on wood, which gave rise long after to a comic poet quoted by Plutarch saying: "I aver that the laws of Solon and Draco have been used by the people in cooking their food."

At Rome, before the use of columns and tables of bronze, the laws were graven on planks of oak which were exposed in the Forum. The annals of the Pontiffs, where they wrote day by day the principal events of the year, were probably written in black ink on a plank of wood whitened with white lead, and which they called *Album*.

This plank was exposed before the Pontiff's house, and very severe penalties were enacted against those who dared to carry it away, or change it by erasing or altering the text. The annals of the Pontiffs ceased towards the year 633 of Rome, (120 years before Christ) but the use of the album was preserved long after, since we find in the Code Theodosius laws published on a table plastered with white lead. Wood was still employed for private uses; a passage of the Digest proves that the Testaments were sometimes written on tablets of wood.*

We find in the mummy cases linen covered with writing, and the Egyptian museum in the Louvre contains several rituals on linen cloths. It appears that this substance had been at first reserved for memorials bearing a religious character. It was, relates Livy, by means of an old ritual written on linen that the Samnites regulated the order and ceremony of the solemn sacrifice by which they preluded the war against the

* H. Géraud, *Essai sur les Livres dans l'Antiquité*, 1840, in octavo, p. 19-20.

Romans. The Sybilline oracles were also written in books of the same material. We know that much later linen was employed in circumstances altogether different. It was on linen that the Emperor Aurelius had an exact journal written of all his actions, on which were traced the registered plans deposited in the imperial archives. We know that several laws were published on it under the first Christian Emperors, and that Apollonius made use of the same material in the fifth century on which to write his lighter poetry.

These linen or canvass books were designated *carbasina volumina* in a passage of Martianus Capella written in the fourth or fifth century.

It may be seen by a letter from Symmachus that they wrote also on silken stuffs, and that this custom had its origin in Persia. In the seventeenth century, as we are informed on the authority of the well known verses of Boileau,* they had some copies of the Theses maintained in the universities written on satin; they were designed to be given at an entertainment.

The papyrus† is a species of reed the stalk of which is in height about a yard and half quarter, and is covered by an outward husk of a filmy substance by means of which they fabricated various kinds of paper.

The first quality was *hieratic* or sacred, because it was reserved for writing holy books; after a time, however, adulation induced them to change the name of the first class paper into *Augustus* or *royal*; the same motive prompted them to call the second quality *livian*—derived from Livia the name of the wife of the Emperor Augustus; thus the denomination hieratic was thenceforward applied only to the third class paper. Another species of paper was known under the name of *Amphitheatric*, in consequence of having been manufactured at Alexandria in the district around the Amphitheatre; but this paper

* Peindrai je son jupon bigarré de latin,
Qu' ensemble composaient trois thèses de satin,
Présent qu'en un procès sur certain privilège
Firent à son mari les régents d'un collège,
Et qui sur cette jupe à maint rieur encor,
Derrière elle faisait lire *argumentabor*.

† This plant, named *Βίβλος*, by the Greeks, was got from the time of Pliny in the marshes of Egypt, in Syria, and in the suburbs of Babylon. At the present day it grows naturally in Sicily.

was susceptible of great improvement. Fannius, a Roman grammarian, succeeded in effecting this improvement by extending its size, and polishing its surface. The paper thus remodeled took the name of the *Fannin* paper, and rivalled the paper *Augustus*; those who would not admit of the improvement still preserved the name *Amphitheatric*, and it remained in the fourth rank. The papyrus which grew in the environs of Saïs in great quantity, but in inferior quality, served to make paper of the fifth quality which was called *saitic*. In the sixth rank came the paper *teneotic*, thus named from a district of Alexandria where they manufactured it; the quality of this paper was so inferior that it was sold by weight. In the last rank was placed the paper *emporetic*, or wrapping paper. This could not be used in writing, and served only to make pack cloth or envelopes for the other species of paper.*

The Emperor Claudius had a species of paper manufactured to which he gave his name, and which bore away the first rank from the paper *Augustus*. They succeeded in giving to the paper of the papyrus considerable dimensions, for we have records of about two yards and a quarter in length. That which we call, at the present day, a quire of papyrus contained 20 sheets at the time of Pliny, and only ten in the fourth century.

We can assign no date to the invention of papyrus, the origin of which is due to the Egyptians. According to a letter addressed by Champollion to the Duke of Blacas, the learned traveller had discovered some deeds on papyrus, bearing their date on them, and which went back to the remote period of seventeen hundred years before the Christian era.

We are ignorant at what precise period papyrus was introduced into Greece or Italy, but we know positively that at Rome it was made to undergo a new preparation, and it is owing to that preparation that we are indebted for the greater portion of the manuscripts found at Herculaneum. It is, however, a fact that out of two thousand two hundred and seventy pages found in 1825, forty only belonged to the Latin language, the others were in Greek.

Egypt appears to have preserved at all times the monopoly of the commerce of papyrus, the principal manufactories of which were at Alexandria. Thus when the harvest of this

* See *Essai sur Les Livres dans l'Antiquité*, p. 25-26.

plant failed one year, the scarcity of paper was felt all over Europe. Pliny relates that they had so considerable a failure under Tiberius, that it caused an insurrection at Rome, and that the senate were obliged to have recourse to similar measures as those which had been taken during periods of famine. They named two commissaries who distributed to each citizen a supply of paper according to his wants.

From the fourth century, papyrus became less general. The conquest of Egypt by the Arabs, and the little commerce that existed between the East and Europe, rendered it more rare. Its manufacture ceased altogether before the twelfth century, when the use of paper made with cotton, known, it is supposed, through the eastern nations, was spread into the west. The most ancient charters on this paper date from the commencement of the twelfth century.

It was about the same period that they commenced to employ generally paper made from rags. The authors of *l'Art de Vérifier les Dates*, cite an edict of Hugues II., Count of Châlon-sur-Saône; it is a charter in rag paper bearing the date of 1075. The same paper is mentioned in a treatise of Pierre le Vénérable, composed in 1122. In 1189, Raymond Guillaume, Bishop of Lodève, granted an annual quit-rent, empowering the construction of several paper mills on the Hérault. The most ancient record on rag paper still existing is a letter from Joinville to Louis le Hutin.

We must not omit the mention of tablets, which were formed of several leaves of parchment, or thin shavings of wood, ivory or prepared of metal to receive writing; some were even covered with wax, on which they wrote with a bodkin or stylus. The usage of these dates to a very remote period of antiquity. The following words are placed in the mouth of God, in the fourth book of Kings, c. 21, v. 13:—"I will efface Jerusalem, as tables are wont to be effaced, and I will erase and turn it, and draw the pencil often over the face thereof."

Herodotus and Demosthenes mention also the use of tablets to which frequent allusion is made in the Latin poets. At Rome they served as a medium of correspondence between the inhabitants of the city and the suburbs, whilst the papyrus was reserved for letters forwarded to a more distant locality. They frequently replied to notes on the same tablets upon which the note had been written.

The most precious wood used for tablets was that of Citrus, a species of cypress from Northern Africa.

The Romans sent tablets as gifts during the Saturnalia, in the same manner as we of the present day give *port-folios*, *souvenirs*, and other matters.

The Diptychs were tablets with two leaves. At Rome, the consuls, and other magistrates, when entering on the duties of their office, sent to their friends amongst other presents, diptychs usually in ivory, artistically wrought and enriched with ornaments in gold. This custom became so expensive in consequence of the gorgeousness which they displayed, that we find in the Code Theodosian, a law, by which none but consuls were empowered to give presents of diptychs in gold or ivory as gifts. But this prohibition, like so many others, was openly violated, and the son of Symmach, being named Questor, offered to the Emperor himself a diptych covered with gold, and to his friends diptychs in ivory, and gifts of silver.*

Tablets of wax served in the ancient as well as in the middle ages for writing rough copies of deeds, or histories of travels which were afterwards transcribed neatly either on papyrus or parchment. Such were the tablets of wax belonging to Philip le Bel, preserved in the Royal Library. They were in use up to the last century, as has been proved in a memoir of the Abbé Lebeuf, placed in the collection of the Academy of Inscriptions. Thus, in the church of Rouen, until 1722, the tablets of the choir, on which they marked the names of the ecclesiastics who did duty and served in the choir during the week were in wax, written with an iron bodkin.

Black ink, amongst the Ancients, was composed of lamp-black, gum and water, to which they added a little vinegar, in order to render it indelible. Pliny asserts that they steeped wormwood in it to preserve the books from mice.

This ink was employed up to the twelfth century, at which period was invented that which we have in use at the present day.†

The Ancients, besides the red, blue, green, and yellow inks, had also an Indian ink mentioned by Pliny, made from the cuttle fish which differs little from the ink of China.

* There are several of these diptychs in existence at present. Montfaucon has engraven some of them in the supplement to his great work.

† This latter is a composition of wormwood, iron, gall nut, and gum and water.

Amongst the red inks, that which they called the *minium** and which, according to M. Brongniart, was nothing more than red lead, or cinabar, was the most esteemed. But that extracted from the murex was reserved exclusively for the Emperors who interdicted the use of it, or even its manufacture for private persons under the penalty of death.

The guardians of the Emperors affixed their signatures in green ink; there is still at Orleans a charter of Philip the First written in ink of this colour.

The Ancients were acquainted with the use of gold and silver ink. During the latter period of the Roman Empire, the writers in gold, the *chrysographos*, formed a particular class. The Royal Library possesses several Greek Gospels, and the book of the *Heures*, by Charles the Bald, are written altogether in gold. There are in Germany, Italy, and in England several diplomas similarly written; gold ink was principally used from the eighth to the tenth century. There are but few manuscripts existing written in silver. The most remarkable are the Gospels of Ulphilas preserved at Upsal, and the Psalter of Saint Germain, bishop of Paris, in the Royal Library.

The implements employed in writing were the stylus in metal or in bone,† of which there are several specimens to be seen at the different museums in Europe; the pencil,‡ the reed, which is cut like our pens, and which the Easterns use at the present day; and finally the pen, which is several times mentioned by an anonymous writer of the fifth century. Metallic pens were very probably known in ancient times, for, according to Montfaucon, the Patriarchs of Constantinople employed, in affixing their signatures, pens made of a silver reed. We may perceive in Montfaucon's Antiquities, and in the collection of paintings found at Herculaneum, that the ink, the writing, the desk, the penknife, the scraper, the sharpening stone, and the sand box, were known at a very remote period. By means of a rule and compass they traced lines to enclose the writing; black lead pencils were used for this

* The minium is known to day as the oxyde of lead.

† The styluses in iron were, it appears, proscribed at Rome by an edict. They were, in fact, a dangerous weapon, and we find in history several examples of murders having been committed by means of this instrument.

‡ This instrument was in use also amongst the Egyptians, and is employed at the present day by the Chinese.

purpose, but up to the thirteenth century these lines were traced with the point of the stylus.

The Ancients do not appear to have been in the habit of using a table in writing; they wrote on their knees or on their left hand. This latter method is still in use in the East.

TRANSCRIBERS AND MANUSCRIPTS.—Amongst the Hebrews this study was confined to the use of holy books; the profession of a transcriber appears to have been confounded with that of a commentator. The title of copyist was an honorary one, and indicated the *literati*, who interpreted the Scriptures; we are even led to suppose, according to a quotation from the translation of the Septuagint, that they had a particular residence assigned them. Among the Romans the duty of transcribing manuscripts was principally reserved for the slaves, and such of them as were employed as copyists attained great importance. This was a luxury which of course could only be enjoyed by the wealthy, who were desirous through these means to parade their erudition. Seneca, in his 27th Epistle, mentions a certain Calvisius Sabinus, who having purchased eleven slaves, made each of them learn a Greek poem. They cost him 100,000 sesterces, a sum by which he jestingly said he had acquired eleven libraries.

Thanks to the increased value of these *servi litterati* the instruction of slaves from their infancy was considered a lucrative speculation. "Pomponius Atticus," according to Cornelius Nepos, "had several slaves instructed, who were qualified to act as readers, and many of them transcribers. He had not even a footman who could not read or copy if required."

The destiny of educated slaves was much more agreeable than that of the others; they were well cared, and even cherished as objects of priceless value. When they succeeded in gaining their master's affections they were enfranchised; this only attached them more warmly to their persons. The correspondences of Cicero and Pliny the Younger furnish us with proofs of the extreme care bestowed on those servitors whose talents rendered them so valuable in their masters' eyes; when afflicted with illness change of residence, travel, nothing was spared to restore them to health. Pliny sent successively to Egypt and to Firuli one of his enfranchised slaves who had been attacked with several relapses of disease of the chest.

Besides the educated slaves, there were also copyists by

profession, and at Rome this occupation was principally exercised by the enfranchised and by strangers.* The celebrated Edict of Dioclesian on the *Maximum*, an edict of which an inscription from Stratonice has preserved to us some fragments containing the prices paid the copyists; but unfortunately the stone is mutilated at the part where the price of the parchment and the salary of the writer were inscribed, and all we can glean from it is, that the salary was rated by every hundred lines.

There were also female transcribers, as proved by a Latin inscription published by Gruter. In 231, when Origen undertook the revision of the Old Testament, Saint Ambrose sent to him some deacons and virgins instructed in caligraphy. At the end of the fifth century Saint Césaire having founded at Arles a convent for women, they were appointed to occupy themselves in copying the books during their hours of occupation. During a long time, and even up to a late period, the profession of bookseller was not distinct from that of copyist; the latter we find naturally selling the manuscripts, retaining counterpart copies. The word *Librarian* was derived from the term *librarii*, a name given by the Latins to their transcribers.

The Latin writers of the latter ages gave the title of antiquarii to the copyists who transcribed ancient works. This occupation rendered preliminary study indispensable, particularly when engaged in decyphering very ancient writings.

In the middle ages the term clerk (*clericus*) also designated copyists, monks and ecclesiastics having been, during a long period, the only persons privileged to transcribe manuscripts.

The Romans had workshops where several copyists wrote from the dictation of a reader. Several copies of a work could be thus easily obtained. In the middle ages this was not the case, as in consequence of the scarcity of books it was considered of more importance to have a single copy of various works than several copies of one. Besides, the monks could devote but a certain number of hours to the transcription of books, and not being stimulated, as the laics were, by love of gain, did not consequently proceed so quickly.

The hall in which the monks copied bore the name of *Scriptorium*. It was consecrated by the following benediction,

* The greater number of the names of copyists that have been preserved are Greek.

as related in the Glossary of Ducange :—"Benedicere digneris, Domine, hoc scriptorium famulorum tuorum, et omnes habitantes in eo, ut quidquid divinarum Scripturarum ab eis lectum vel scriptum fuerit, sensu capiant, opere perficiant ; per Dominum, &c."

The transcribers were obliged to work in silence, and, in order that they might not be disturbed, the Abbé, Prior, under Prior, and Librarian, had alone the privilege of entering the hall. It was the librarian who had the charge of pointing out to them what they were to transcribe, and furnishing them with all requisites for their purpose. They were strictly prohibited from copying anything but what was pointed out to them. Aluin had the following inscription placed in the *Scriptorium* of the transcribers under his direction :—

Hic sedeant sacræ scribentes flamina legis,
Nec non sanctorum dicta sacrata patrum.
Hic interserere caveant sua frivola verbis,
Frivola nec propter erret et ipsa manus ;
Correctosque sibi quærant studiose libellos,
Tramite quo recto penna volantis eat.
Est decus egregium sacrorum scribere libros,
Nec mercede sua scriptor et ipse caret.

Cassiodorus, in the *Scriptorium* of his Monastery at Viviers, had placed a sun-dial, a water-clock, and some lamps which were self-supporting ; by some mechanical process, they fed themselves with oil, which emitted a bright and effulgent light.

The transcription of books, especially those that related to religion, was regarded in the middle ages as a most meritorious work. "The books which we are now copying," said the statutes of Gui II, Prior of Chartreuse, "ought to inspire us to become preachers of the truth. We hope that God will reward us for all those whom the reading of these books will lead from error, or any which they may help to strengthen in the truths of Catholicity."

There is a very curious passage on copyists in Orderic Vital ; he writes :—

"Theoderic, Abbe d'Ouche, wrote well and has left, to the young religious, noble monuments of his talent. The book of the *Collects*, the *Gradual*, and the *Antiphon*, were written by his own hand in the Convent. His nephew, Radulphe, copied the Ecclesiasticus as well as the Missal, in

which they chanted the daily Mass at the convent. His companion, Hugues, made a copy of the Exposition on Ezechiel, of the Decalogue, and of the first part of the books of Wisdom."

We are indebted to the Priest Roger for a copy of the third part of the book of Wisdom, of the Paralipomenon and the Books of Solomon. This was the school from which was furnished some of the choicest transcribers,* such as Bérenger, who became afterward Archbishop of Venosa, Goscelin, and Radulphe, Bernard, Turquetil, Richard, and several others who filled the library of Saint Evroul with treatises of Jerome and Augustine, Ambrose and Isidore, Eusebius and of various doctors; their example incited the younger men to follow in the good work. Theodoric, that man of God, whilst giving them instructions warned them above all things to avoid sloth of the mind, which was calculated to destroy body as well as soul. He was accustomed to speak to them in these terms:—"A certain brother dwelt in a monastery; he was guilty of many infractions of the monastic rules; but he was a writer, he applied himself to the Scriptures, and copied voluntarily a large volume of the Holy Book. After his death his soul was conducted to undergo an examination before the tribunal of a wise and equitable judge. Whilst the evil spirits brought forward the strongest proofs of his guilt, and exposed his manifold crimes, the good angels on the other side, presented the book which the brother had copied in the house of God, and counted letter by letter the enormous volume, offering it in expiation of his sins. They succeeded finally by a single letter, and all the efforts of the demons were unavailing to oppose another sin. Thus was the Divine clemency propitiated, the brother was pardoned, his soul was permitted to return to his body, and sufficient time granted him to amend his life."†

In the generality of convents, the rule prescribed the trans-

* The French caligraphers rarely put their names to their works. The transcribers of the celebrated *Codex Evangelicorum*, which was formerly at Saint Denis, were two religious of the ninth century named Beringar and Luithard; and the caligrapher of the *Codex bibl.* which was presented to Charlemagne, during his sojourn at Pavia, was called Ingobert.

† *Histoire de Normandie*, book iii. Guizot's collection, vol. xxvi. p.41-43.

cription of books, though this was not always observed strictly. There were some monasteries to which candidates were not even admitted without presenting to the library some beautifully transcribed copies of works either sacred or profane.

The pasting of manuscripts, that is to say, the uniting of the leaves of which the volume was composed, was, according to Photius, invented by a certain Phillatius, to whom the Athenians in gratitude erected a statue. Among the Romans, this operation was chiefly practised by the apprentice copyists, or by the enfranchised slaves; it was, however, a recognised profession, and bore the title of *glutinatores*, as has been discovered in some inscriptions on the tombs, such as those found at Naples, and referred to by Annius Stichius, paste-board-maker to the Emperor Tiberius. Among the Romans the copying slaves were at the same time bookbinders and pasteboard-makers; their labor, however, was shared by the religious, at least in some of the convents. "Whilst one," wrote Trithemius, Abbot of Spanheim in the fifteenth century, "corrected the book which another wrote, a third made the ornaments in red ink with which the punctuation was beautified, another arranged the pictures, whilst some were employed in pasting the leaves, and binding the books with covers of wood; thus, each had his separate part to perform."

Ornamentation and colouring in manuscripts scarcely existed before the sixth century, though the Benedictines, with some shew of reason,* trace its custom to a much earlier date. The ornamented letters employed for the titles of works and the initials of chapters assumed the most singular and varied forms. They sometimes represented grotesque men with monstrous deformities, on other occasions animals, plants and fruits. They frequently took up an entire page, but this work was in general confined to other hands than the copyist.

Manuscripts of works sacred or profane were overladen in almost every page with gothic ornaments, vignettes, coats of arms, colored designs, and initials in gold. The margins were filled with paintings, which led to the remark that the writers had become artists, *hodie scriptores non sunt scriptores, sed pictores*. The tracers or painters of these marginal designs were

* It is alluded to in the following verse of Tibullus:—
Indicet ut nomen *littera picta* tuum.

called *babuinare*. This extravagance, carried to much greater extent in Italy than elsewhere, was soon extended into France; of this we have a striking evidence in the two manuscripts of Saint Graal, one of which exhibits one hundred and twenty-five golden miniatures, and the other a hundred and twenty-seven, beside capitals emblazoned with the arms with which both were replete. Such also were the four Gospels in letters of gold, which were completed in less than a year, from 1213 to 1214, at the Abbey of Haut-Villers, under the Abbé Pierre Guy; the copy of the Bible, executed towards 1239 at the Abbey du Parc, and which has been employed since by the Holy Fathers in the Council of Trent; finally the *Passionnaire*, or compilation of a hundred and thirty lives of the saints, written at Haut-Villers, in 1282, under the Abbé Thomas de Moremont. Some objections having been raised against this magnificence, the Dominicans prohibited the copyists of their order from ornamenting books with gilding, and enjoined them to apply themselves for the future in forming more readable characters.

These ornaments had raised the books to an almost fabulous price, of which it would be difficult for us, considering the variations of the monetary system, to form a correct idea. We think, however, that every miniature of the manuscripts of Saint Graal cost two florins, and that eighty livres were paid for a copy of the Bible, and two hundred florins for an ornamented Missal. In general, we might say that the average price of a volume in folio at that time, was equivalent to any valuable work of the present day for which we would be content to pay sixteen or twenty pounds.*

We shall give now a few extracts from an account of the expenses incurred in the house of Philippe le Hardi, Duke of Burgundy. They will serve to authenticate what we have stated relative to the prices paid for illuminating:—

1373. (Amiot Arnaut) Belin, illuminator at Dijon, wrote and illuminated the seven Penitential Psalms for the Duchesse for which he was paid 3 francs (about 28 francs 45 cent.)

1377. The Duke paid to Master Robert, maker of dials at Paris, the sum of 4 francs (about 36 francs 45 cent.) for an almanack which he had made for him for this year commencing the first of January.

* *Histoire Littéraire de la France*, tome xvi, p. 39.

1382. The Duke paid to Henriot Garnier Breton 72 francs (511 francs 30 cent.) for a book called the *Chroniques des rois de France*

Long after the invention of printing, wealthy people had manuscripts magnificently ornamented with miniatures executed at great cost.

Thus, before departing for Rome the Duke de Guise ordered a prayer book from Louis Duguernier, in which he represented the greatest beauties of the court under the form of so many saints. Bussy made a calendar, the portraits in which were, it is said, executed by Petitot.

The *Dialogue de l'Amour et de l'Amitié*, by Perrault, was so pleasing to Fouquet, that he had it transcribed on vellum and ornamented with gilding and pictures. The Imperial library at Vienna possesses a celebrated manuscript executed in 1647 by Frederick Brentel, a distinguished painter, for William Marquis of Baden. It belonged for some time to the Prince de Conti, who had purchased it for 6,000 francs from a canon of Strasbourg. This manuscript is divided into two parts, the entire comprises about 470 pages. The first part is entitled, *Officium B. Mariæ Virginis Pii V. Pont. Max. jussu editum*; and the second: *Orationes selectæ et officia quædam particularia ad usum Guillelmi Marchionis Badensis, variis, auctore Friderico Brentel, ornata picturis anno MDCXLVII.* This magnificent manuscript, beside forty reductions of the most beautiful pictures of Albert Durer, of Jordaens, Rubens, Vandyck, Breughel, Wouvermans, Teniers and others, had a frontispiece representing a celestial concert, a calendar, each month of which was enriched with a portrait, and the work was finished with a portrait of the painter.

One of the most ingenious modern caligraphers, and certainly the most skilful of all the French caligraphers, Nicholas Jarry, was born at Paris about 1620 and died before 1674. He received from Louis XIV., the patent of *writer and music copier to the King*. His works which are very rare, bring an exorbitant price, as may be judged by the following details. The work which is considered the first of Jarry's is a *Præparatio ad Missam*, 1633, in octavo, on vellum, and ornamented with initial letters in gold and colors. There were 250 francs paid for it at a sale. *La Guirlande de Julie*, 1641, in folio of thirty sheets. This magnificent work is the most celebrated of all Jarry's. It was written for the Duke de

Montausier, who presented it to Julia de Rambouillet, some years before they were married.

The frontispiece of the volume is encircled with a garland which has given the name to the work; on each leaf is one of the flowers which makes part of the garland, and was painted by the famous Robert. Over each flower is a madrigal transcribed by Jarry with admirable perfection.*

On the death of the duke, who survived his wife, this book passed to the Duchess de Crussol d'Uzès, then to the heirs of this lady. At the sale of the Duke de La Vallière's library, it was purchased by an Englishman at the enormous price of 14,510 livres. It has been since re-purchased by the daughter of the Duke de La Vallière.

A copy of this manuscript made by the author himself in 1641, but without pictures, has been bringing successively 406 francs, 622f., and 250f.

The text was published by Didot in 1784, and in 1818.

Missale solemne 1641, in folio, written in red and black and on two columns, with singing notes. Each page is encircled with a band of gold and ornamented with initial letters in gold and in colors. This missal was sold in 1813 for 601 francs.

Adoration à Jésus naissant, écrite et présentée à la reine, 1643, in duo decimo, on vellum and magnificently executed. Was sold for 750 francs.

Heures de notre dame écrites à la main, 1647, in folio, on vellum, with seven miniatures. It has been sold successively for 515 francs, 1,601f. and for 73 livres.

Preces Christianæ, 1652, in duodecimo, on vellum with frontispiece and vignettes. Brought 1,210f.

Office de la Bienheureuse vierge Marie, 1656, in duodecimo on vellum with miniatures by Petitot. This book had been, as is alleged, executed for Anne of Austria, and after her death given to the Duke of Burgundy by Madame de Main-

* All these madrigals were in general very bad; we know at the present time but very few of them; we give one that was written, at foot of a violet, by Desmarets de Saint Sorlin:

* Modeste en ma couleur, modeste en mon séjour,
Franche d'ambition, je me cache sous l'herbe;
Mais si sur votre front je puis me voir un jour,
La plus humble des fleurs sera la plus superbe.

tenon; it belonged afterwards to the prince de Conti, and was sold at a much later period for 110 livres.

Adonis, a poem by La Fontaine, dedicated to Fouquet, 1658, in quarto. This magnificent manuscript which was considered one of the most precious morceaux known of its kind, after having been for a time in the study of Prince Michael Galitzin at Moscow, was sent back to Paris with this nobleman's library, and sold in 1825 for 2,900f.

The high prices which Jarry's works brought encouraged forgers of writing to affix his name to the caligraphic productions of his pupils, and even of rivals; but we do not know who M. Brunet desires to point out in the following sentence placed at the end of the article which he devotes to Jarry: "Why should we have to tell of a man whose pen, cunning in the imitation of all kinds of writing, has not feared to lend himself to this species of fraud by inscribing not long since the name of Jarry on several small prayer books which were anonymous."

Some manuscripts became celebrated though possessing no other merit than that of difficulty to decypher. Such was the *Liber Passionis D.N.J.C., cum figuris et characteribus ex nulla materia compositis*. The leaves of this book were of parchment, on which were inscribed all the strokes of the letters used for writing or printing on paper, so that if you placed between the leaves some black paper, you could read the words distinctly on the opposite side in clear daylight.

This extraordinary book might be seen in 1640 in Prince de Lingen's library, and they maintain that the Emperor Rhodolphe offered a considerable sum for it.

We shall offer a few more observations on the manuscripts of the middle ages.

In the ninth century, Loup de Ferrières wrote to Eginhard: "I will go see you to return your books and learn from you which of them I most require to study. I would have sent you Aulus Gellius, had not the Abbé kept it, complaining that he had not had time to copy it, but he has promised me to write you explaining that he is the cause of the books being detained." In a letter addressed to another, we find the following passage: "I send you before I have read it, the manuscripts of the annotations of Saint Jerome on the Fathers, feeling satisfied that your watchful diligence will induce you to read, copy, and return them promptly."

The correspondence of the same writer proves how difficult it was to procure works sacred or profane. Thus, having requested from a German Abbé the *Treatise on Jeremiah* by Saint Jerome, and being unable to procure it, he addressed himself to Pope Benedict III, and after recommending two monks who had undertaken a pilgrimage to Rome, he added :

“ We also request from you Cicero’s *De Oratore* and the twelve books of the Institutes of Quintilian, which are comprised in a single volume of moderate size. We have several portions of those authors, but are anxious to possess them in their entirety. Finally, we solicit the *Commentary* of Donatus on Terence. If in your liberality you would accord us this favor, all these works will, with the assistance of God, be promptly returned to you.”

At this period, in consequence of the value of manuscripts, forwarding books was a hazardous undertaking and frequently insecure. Loup de Ferrières is excusing himself to Hincma for not having sent him a work of Bede : “ The book was so voluminous,” said he, “ that it could neither be concealed in the bosom nor in the wallet, and when both those modes of conveyance were impossible, it would be exposed to the fatal mischance of being seized by a gang of miscreants whose cupidity would be tempted by the beauty of the manuscript, and thus it would be lost both to you and me.”

We may conceive in effect, according to the following fact related by Mabillon in his *Analecta*, that the value of manuscripts held forth a strong temptation to the cupidity of robbers : Grecie, Countess of Anjou, in the eleventh century, purchased a collection of the *Homilies* of Haimon of Halberstadt for two hundred sheep, a hogshead of cheese, another of rye, a third of millet, and a certain number of marten sable skins.

The possessors of manuscripts, in order to defend their treasures, had recourse to means, the efficacy of which was rather doubtful. The *Alexandrian Codex* (the Old and New Testament) manuscript of the fourth century preserved in the British Museum bore this inscription :*

“ This book is dedicated to the patriarchal chamber of the city of Alexandria. Whoever removes it hence will be excommunicated, and turned out of the pale of the Church, Athanasius the humble.”

* See IRISH QUARTERLY REVIEW, Vol. V. No., 17 p. 146.

In the eleventh century Robert, Archbishop of Canterbury, gave to the monastery of this City a *Ritual* (Sacramentary) at the end of which might be read : " If any one steals this book either by force, fraud, or through any other means, this crime will cause the perdition of his soul, his name shall be erased from the books of life, never more to be written amongst those of the just." In a manuscript of 1072, which may be seen at Monte-Cassino, a notice terminates thus : " If any one attempts to take this book, no matter under what pretext he does so, he shall at the day of judgment be amongst those condemned to eternal fire." In fine, we discover the following phrase in a manuscript written about 1250 and containing the Proverbs, Ecclesiasticus, the Canticles, and Wisdom : " This book belongs to the monastery of Rochester : if any one takes it away or conceals it, he will be anathematised. Amen."

In another part we perceive that the prior and the monks of the same convent proclaimed every year the ban of excommunication against any one who should embezzle a copy of Aristotle's *Natural Philosophy*, or even alter the title.

At the present day in colleges students have preserved the habit of placing in their books burlesque maledictions against any one stealing them, or not returning them when taken.

Dedicating the manuscripts to God, to the Churches or the Convents as votive offerings for the comfort of their souls, *pro remedio animæ suæ*, was looked on as a most meritorious work. Mabillon has found prefixed to a manuscript collection of general councils and rescripts of the Popes, an inscription which shewed that this book had been offered on the altar of Notre-Dame-du-Puy, by Adalard who was Bishop in 919. Saint Maieul, Abbé of Cluny, having copied Saint Ambrose's commentary on Saint Luke and that of Raban Maur on Jeremias, made an offering of them to his monastery, and placed them on the altar dedicated to Saint Peter. There are several examples of this custom. From the earliest ages of the Church this dearth of books had given rise to a very laudable practice. They suspended in certain parts of the church the Holy Scriptures and some books of prayer, that the faithful might be enabled to consult them. This practice dated as far back as the fifth century, as may be seen by what is related of the Abbé Gélase, who lived about the year 450 :—

" He had a book written on parchment, containing the Old

and New Testament, and which was worth 16 golden sous. He placed it in the church in order that all the brothers could read it. A strange monk stole it, and the holy old man was unable to follow him, though he perceived the theft. The other went into the town and tried to dispose of it, demanding 16 golden sous for it. A person who wished to purchase it, asked permission to examine it, and took it for this purpose to the Abbé Gélase, who said to him : ' Buy it, it is beautiful, and well worth the price.' The purchaser said to the seller : ' I have shown it to the Abbé Gélase, and he told me it was too dear, that it was not worth the price you demand for it.' The vendor asks him if the Abbé had made no other remark. ' No ' replied the other. ' I will not sell it at all ' said the monk, who, touched with remorse, sought Gélase and restored to him the book ; the Abbé refused to take it, when the monk said to him : ' If you do not take it I will never be at ease again.' He then took it, and the strange monk converted by this act, dwelt with him up to his death.* They gave to these books, thus placed in the churches, the name *d'enchainés*, in consequence of their being attached to the wall in that way.

In 1406 a priest named Henri Beda having bequeathed his breviary to the Church of Saint-Jacques-la-Boucherie, left at the same time to Guillaume l'Exale, churchwarden, an annuity on condition that he should construct a cabinet to enclose this breviary.

It was not devotional books alone that were placed in the churches. The authors of *l'Art de Vérifier les dates* mention a book thus placed in the Cathedral of Mâcon, and which contained a list of the nobles of the city. In the southern towns the municipal statute books were frequently affixed to the wall by an iron chain, and placed in a cabinet secured by either lock or padlock, of which the consuls kept the key.

But to return to the copyists.

Good copyists were as rarely to be met with in the olden time as in the middle ages. Works in the Latin tongue were transcribed in so faulty a manner, that Cicero did not know where to apply in order to purchase some required by his brother Quintus. Even his own works were incorrect though

* Fleury, *Histoire Ecclesiastique*, liv. XXVIII. ch. 38.

copied under his direction. In the time of Strabo nothing could be more incorrect than the manuscripts which were sold at Rome and at Alexandria; it does not therefore surprise us to learn that sundry incomprehensible passages have been detected in the works of the ancient authors. Each copyist renewed the errors of his predecessor, or added new ones. We can therefore easily conceive the enormous amount of mistakes which had thus accumulated from century to century, dating from the very earliest periods of antiquity, and continuing up to the invention of printing.

What contributed still more to render the text of certain authors obscure was the latitude which some of the critics permitted themselves when correcting a passage in the manuscripts of the meaning of which they were ignorant. The Greek writers in particular had much to suffer from the erudite criticisms of their editors or commentators.

The mistakes of transcribers are as numerous as the posterity of Abraham. Those who would desire to count them might as easily calculate the grains of dust on the earth. We shall now give a few specimens of the criticisms on the various editions of Greek and Latin classics.

Several writers have asserted that Aristotle was a Jew; this singular assertion arose from an error in punctuation: the version of Josephus by Georges of Trébisonde bore this sentence: *Atque ille, inquit, Aristoteles Judæus erat*, in place of: *Atque ille, inquit Aristoteles, Judæus erat.*

Bayle, in the article which he has dedicated to Artémisia, quotes (note D.) a passage from Plutarch relative to a panegyric on Mausolus by Isocrates, a passage in which some have discovered that this oration was lost, whilst others maintain that it is still extant. "See," added he, "how fortune sports with manuscripts: a stop omitted, or added, alters the entire sense and changes yes to no."

The Abbé Lebeuf relates a strange mistake of some transcribers of the middle age. Accustomed to copy in the Missals, epistles, or hymns on the lives of Saint Stephen, Saint Denis, and the Holy Innocents, it chanced that they entitled certain prose writings *la Vie du premier jour de l'an, la Vie de l'Epiphanie, &c.*

In the fourteenth century Petrarch complained bitterly of the ignorance and negligence of copyists. "How are we enabled," said he, "to remedy the evils which our transcribers inflict on us; their ignorance and idleness ruin and destroy

everything? They prevent men of the highest genius from placing before the world their immortal works, and thus rob posterity. This is a punishment merited by this age of sloth and luxury, in which choice dishes are more valued than the rarest books, and good cooks more eagerly sought than good copyists. Whoever can paint the parchment or hold the pen is regarded as an ingenious transcriber, though he possesses neither knowledge nor ability. I do not speak here of orthography: that has been cast away long since. Would to God that the copyists wrote, however badly, all that had been given them to transcribe! We would then at least, despite *their* ignorance, have the substance of the books, and not be confounding the copies with the originals, and be thus perpetuating errors from century to century. Think you that if Cicero, Livy, and other ancient authors, above all Pliny, were raised from the dead and given their own works that they would comprehend them? No, they would exclaim at each word and at each page, those works you have given us to read are not ours, they are the productions of a barbarian. The evil is that there exists neither rule nor law for the copyists; they undergo no examination: the locksmiths, the agriculturists, the weavers, and other tradesmen, are subjected to an examination and to rules, but there are none for the transcriber. In the meantime there are heavy taxes for these destructive barbarians, and we are obliged to pay dearly for spoiling all our good books."

The poet also, in a letter to Boccaccio, complains of not being able to find any one who would faithfully copy his book on *la Vie Solitaire*. "It appears incredible," said he, "that a book which has been written in less than a month, could not be copied within the space of several years."

When engaged in works relating to religion, aware of the importance of their faithful transcription, the copyists were in the habit, either at the commencement or conclusion of the manuscripts, to recommend those who copied after them to compare carefully their work. This warning was sometimes replaced by imprecations against those who either added to the text or abridged some part of it. An example of this may be seen in the 18th and 19th verses of the last chapter of the Apocalypse of Saint John.

ABRIDGED AND SECRET WRITINGS.—The term *sigles* has been applied to the letters of a word by which this word has

been represented either entirely or in part. Cicero called this species of abbreviation *singula littera*, from whence the word *sigla* had its derivation, which has since been transmitted into the French language.

There are two species of sigles. The sigles *simples* are those which represent each word by a single letter, as N.P. *nobilissimus puer*. The sigles *composés* added to the initial letter one or several letters of the word, as A.M. *Amicus*, F.S. *Frater*. The sigles had their origin amongst the Hebrews, according to some commentators, from them they passed to the Greeks and Romans, and from that period the custom of using them has never ceased. They were employed in inscriptions, manuscripts, statutes, decrees, dissertations and letters.

As sigles bore various interpretations, the habit of using them occasioned so many abuses, that the Emperor Justinian prohibited them by decree; so that any one daring to employ them in transcribing the laws of the empire was punished as a forger. The Benedictines discovered in a manuscript of the Abbey of Saint Germain des Prés, several fragments of Virgil in sigles; this manuscript is now at the king's library. We cannot conceive what advantage could be derived from reading from a book, where all the lines were written thus:—

Tityre, t. p. r. s. t. f.

That is to say:

Tityre, tu patulæ recubans sub tegmine fagi. This manuscript is known in France under the title of *Virgile d'Asper*.

Up to the eleventh century, according to the Benedictines, the custom of abridging writings in this manner was in use. Of this we have proof in the famous doomsday book, compiled by order of William the Conqueror. This manuscript in two volumes was written in ancient letters and in sigles. These sigles nevertheless were not so frequently employed in it as in the *Virgile d'Asper*. They were merely used to distinguish the books, and to mark the number of chapters and quires in the manuscripts. They also explained the value of the weights by different letters of the Greek and Latin Alphabets. Physicians have preserved up to our own day in their prescriptions the use of some sigles which date to a very remote period of antiquity. The employment of sigles in marking proper names in deeds and documents of all kinds led to innumerable errors; whether caused by the copyists or interpreters, they occasioned great confusion in history. Of this we furnish an example:

The ancient martyrology of Saint Jerome, marked on the sixteenth of Feb. eleven martyrs, companions of Saint Pamphylus, after these words: *Juliani cum Aegyptis* V., they had *mil*, an abbreviation of *militibus*. The transcribers after the word *Juliani* put *cum alioquinquomillibus*. The author of the *Roman martyrology*, Baronius, not having discovered this blunder, inserted five thousand martyrs instead of five. Errors of this description were very frequent, and have been remarked on more than one occasion.

There is found amongst the ancient manuscripts another species of abridged writing, which consists in the suppression of a portion of the letters of a word, and in the substitution of certain signs for the characters suppressed.

In the most ancient manuscripts, abbreviative signs are extremely rare, but they increased towards the seventh century. In July, 1864, Philippe le Bel essayed to remedy this abuse by an ordinance relative to scribes and notaries. But his efforts were vain, for up to the fifteenth and sixteenth centuries we meet with a crowd of such records full of abbreviations by which they are rendered almost unreadable.

They were introduced even into the books first printed. This rendered them very difficult to be read without some work which would form a key to these abbreviations. We know, amongst others, of a book published by Jean Petit merely for works of the kind, and which is entitled: *modus legendi abbreviaturas in utroque jure*. Paris, 1498, in octavo.

We give here an example of these abbreviations, two lines taken from folio 121, of Occam's *Logic*, printed at Paris, in 1488 in folio:

Sic hic e fal sm qd simplr a e pducibile a deo g a e. Et silr hic a n e g a n e pducibile a Deo ;

That is to say :

Sicut hic est fallacia secundum quid simpliciter : A est producibile a deo. Ergo A est. Et similiter hic : Anon est. Ergo Anon est producibile a Deo.*

The abridged writing known amongst the ancients under * the name of *notes tironiennes*, and with us under

* See the first volume of the *Elements de paléographie*, by M. N. de Wailly, containing a dictionary of sigles and abbreviations.

† This name was derived from an enfranchised slave of Cicero, called Tullius Tiro who contributed materially to the perfection of the stenography used in Latin writings.

that of stenography was, in all probability, invented by the Greeks. Diogenes Laertius relates that Xenophon employed it in compiling and publishing the discourses of Socrates. The Romans were ignorant of this art till a much later period, and Cicero was the first according to Plutarch who practised it at Rome during the debates to which the conspiracy of Cataline gave rise in the senate. "He would not agree," he said when speaking of Cato's reply to Cæsar, "that this oration was altogether Cato's, because Cicero had on that day brought a number of clerks who were very expert in writing, whom moreover, he instructed through the medium of notes and abbreviations to typify and describe in a few words all they should hear; for that purpose he disposed them here and there in different parts of the senate hall; by this means they were enabled without being recognised as scriveners to express an entire sentence in one word by means of annotations and abridged letters. They were the first to commence this mode of inscribing." Cicero employed stenographers himself, and it was in this manner that his pleading for Milo was gathered as he gave utterance to it. The *notes tironiennes*, successively augmented and became more perfect up to the time of Seneca the elder, who increased the number in his possession to five thousand; this was a common practice in the Western countries. Up to the fourth century they were taught this practice in the public schools. Discourses were thus written as also wills, public decrees, indictments, and even sermons: for Saint Augustine relates that his auditors collected by this means all he said in the pulpit. But what was even more singular, they transcribed entire books in short hand. Saint Anchaire, at first monk of Corbie, in the ninth century, afterwards Bishop of Bremen, wrote in this manner several large volumes; and they have preserved in the Royal Library various Psalm-books written thus, even anterior to the ninth century.

The stenography of the ancients was equally expeditious as our own, and the rapidity of the scribes is the subject of a charming epigram by Ausonius (146th epigram) which we cannot resist giving in its entirety:—Slave, clever minister of rapid notes, hasten! Cover the double page of thy tablets, in which a long series of phrases, each expressing various points, is traced as rapidly as a single word. I survey enormous volumes: and as the surge hastens on the storm, the words precipitate themselves from my clamorous lips, and thy

ear is not disconcerted, thy page is filled ! Thy hand scarcely appearing to move, flies over the surface of the wax, and if my words creep through long circuitous windings, thou fixest my ideas on the wax, as if they were already enunciated. Would that my mind were as prompt to conceive, as thy hand is ingenious in fore-stalling my words. Who, I ask of you, who has betrayed me ? Who has already revealed to thee what I designed to say ? How can thy winged hand thus rob me of my most hidden thoughts ? By what new order of things can thy ear be cognisant of what my tongue has hardly expressed ? It is no master that has taught thee this art, no other hand could fly thus rapidly over the pages. No, nature has bestowed on thee this gift ; it is to God thou art indebted for this special favour, of knowing before hand what I ought to say and of willing that which I desire."

The *notes tironiennes* ceased to be employed in France towards the end of the ninth century, and in Germany towards the conclusion of the tenth. Three hundred years later some copies were found in the patents of the Kings of Spain. However, we may say, that they fell into disuse very near the period when abbreviations increased in ordinary writing. Notaries alone continued to employ them in deeds, as a species of cipher, intended to serve as a security against forgers.

Cryptography, or secret writing, dates to a very remote period of antiquity. Aulus Gellius has given on this subject some very curious specimens.

"We have," said he, "a collection of letters written by C. Cæsar to C. Oppius and to Balbus Cornelius, in which were discoverable, at various parts, imperfect syllables, and isolated letters which could not form a word, and which appeared as if flung there in meaningless confusion. The manner, however, in which the letters were transposed had been previously arranged, and what appeared chaos on the paper, was to the reader simple and legible, owing to the preconcerted agreement by which he was enabled to put each letter in its proper place. In arranging to employ this mysterious manner of communicating, they agreed on the signification which each letter should bear. Probus, the grammarian, composed with much labor a commentary on the meaning of the letters used in Cæsar's correspondence.

"The Lacedæmonians possessed also the means of rendering the letters written to their generals unintelligible to the enemy,

We have referred in this paper to the curses uttered against those who should alter the manuscripts. In the 18th and 19th verses of the last chapter of the Apocalypse we have an example of these imprecations, and possibly the original:—

“18. For I testify to every one that heareth the words of the prophecy of this book: If any man shall add to these things, God shall add unto him the plagues written in this book.

“19. And if any man shall take away from the words of the book of this prophecy, God shall take away his part out of the book of life, and out of the Holy City, and from these things that are written in this book.”

Bayle has a curious passage in his article on *Polonus*. He writes: “before the art of printing was found out a great deal of time was necessary to prepare the copies, and books were extremely dear; all possible care was taken to husband the transcriber’s time, and the buyers’ purse, and it was so managed for the benefit of several persons that one chronicle supplied the place of two or three, and for that end, instead of copying several, they added to one everything that was particular and most remarkable in the rest.”

ART. II.—THE DECLINE OF PORTUGUESE POETRY.

FIRST PAPER.

1. *Lusitania Transformada de Fernan Alvares do Oriente.* Lisbon : 1781.
2. *Lusiadas de Camoens, commentadas por Manuel de Fariay Sousa.* Madrid : 1639, &c., &c.
3. *Fuente de Aganippe.* Madrid : 1646.
4. *Obras poeticas de Antonio Barbosa Bacellar.* Lisbon : 1716.
5. *Fenix renascida.* Lisbon : 1746.

Portuguese poetry is of older date than Spanish : pastoral songs were sung on the banks of the Tagus in the old language of the country even before the monarchy itself was founded (in 12th century). And it is not only more early in origin, but also more pastoral in spirit than the Spanish ; which is natural, considering the circumstances of Spain and Portugal. In the latter country the Moors had been so humbled in 1112, by Alfonso Henriquez, the first Portuguese king, that they were never afterwards able to offer any formidable opposition to the progress of the kingdom, whose people were thus enabled to cultivate, in comparative security, the arts and the sentiments of peace, and to enjoy their beautiful rural scenery, while Spain was still struggling in arms with a powerful internal enemy, the Moors, who were not subdued till the time of Ferdinand and Isabella, at the close of the 15th century. Portugal, too, was one kingdom, under one head, while Spain was, till the 15th century, divided among different, and frequently hostile, Spanish monarchs. Hence it arises that in the Spanish *cancioneros* and *romanceros* (collections of songs and ballad-romances) the warlike and chivalresque poems are in greater number than in the Portuguese collections, the majority of whose pieces are of the pastoral species, with its variations, amorous, elegiac, descriptive, sentimental : and when love is the theme, there is more gentleness and tenderness in the strain, than in the more fiery and intense songs of Spain. The Portuguese were mingling freely in society, and occupying themselves with the affairs of the world, while the Spaniards were still dwelling in haughty and jealous seclusion, in castles

fortified against the Moslems, and against each other, and with their feelings untempered, unsoftened, by general social intercourse.

The Portuguese language, soft and plaintive, was well fitted for pastoral poetry, which was long predominant, and was characterised by an engaging simplicity and a tender earnestness. But the genius of the poetry expanded, and continued to expand till the latter end of the sixteenth century. Latin, and modern foreign literatures, were studied, and exercised an influence on the Lusitanian Parnassus. Sà de Miranda, and his disciples, Ferreira (called the Portuguese Horace), Diogo Bernardes, Caminha, and Cortereal, refined their native poetry, rendered it more classical, and gave it greater scope. They were contemporaries of Camoens, but "Camoens was a poor adventurer, wandering in India, at the period when Ferreira, Caminha, and other cotemporary writers, were setting the poetic fashion at the brilliant court of Lisbon. But the poems which he produced previously to his departure for India approximate in a striking degree to the classic works of the school of Sà de Miranda; and hence it is probable that the influence of that school, and of the older Portuguese poetry, may have operated in an equal degree on his genius."* But Camoens proved the Portuguese poet *par excellence*, unsurpassed by any of his countrymen in epic and lyric, sonnet, elegy, and cantiga. In him Portuguese poetry reached its zenith, and then began to decline. The causes of the decline are obvious: immediately after the death of Camoens (in 1579) Portugal ceased to be a nation. The young king Sebastian, with a large portion of the nobility and chivalry of his realm, fell in Africa, at the fatal battle of Alcaçer-quiver, in 1578: he left no direct heir; his uncle and successor, Henry, was very old, and a Cardinal, and he dying in 1580, leaving the crown unsettled among the claims of distant relatives, Philip II. of Spain invaded, and after a short struggle subjugated, Portugal, and humiliated it to the condition of a province of Spain, oppressed by the foreign victors.

The national feeling was crushed (and without it there can be no true poetry), and there was little or no patronage for native literature. The Portuguese kings, who themselves often wrote verses, were friends to belles lettres: popular poets were

* Bouterwek, History of Portuguese Literature.

invited to their courts and obtained appointments. These advantages ceased on the conquest of the country, and a blight fell upon its literature from which it has never recovered, not even after Portugal had burst the Spanish chain, and regained her independent position ; for in the interim the national taste had been corrupted, bad foreign models had been adopted, and the same degree of patronage was never again extended to the literati by the court, the nobles, or even the people ; and though from time to time a poet appeared who was not unworthy of being a co-patriot of Camoens, Portuguese literature, and especially poetry, continued to decline, till it reached its present low ebb.

In these pages (and in succeeding papers) we essay to commemorate the few poets who, like stars of the second and third magnitude, shone in the darkening horizon after the sun of poetry had set with Camoens. We shall, however, in the first instance, retrograde a little in chronology ; and instead of commencing our remarks from the death of Camoens, we shall begin with one who was the cotemporary of the latter, and who wrote a national epic which stood high in popular favor, and even for some time held its ground in the face of the *Lusiad*. The author we mean is Fernan Alvares do Oriente, of whom we would speak because he has been passed over with a mere casual mention of his name by those standard historians of Portuguese literature, Bonterwek and Sismondi ; though specimens of his compositions have been inserted in recent collections of Portuguese poetry.

Our poet, Fernan, or Fernando Alvares, added to his family name the cognomen of "do Oriente," (of the East) on account of the place of his nativity, which was Goa, the capital of the Portuguese possessions in the East Indies, where he was born about 1540. He chose the navy as his profession, and during the Indian vice-royalty of Antonio Moniz Barreto, he commanded a galley of the kind called by his countrymen a *Fusta*, and by English seamen a *Foist*, a light small vessel impelled by both oars and sails : and he distinguished himself in some of the expeditions sent from Goa against other Indian ports during the years 1574, '75, and '76.

Of the particulars of his private life, nothing is known, but he achieved fame in Portugal by a kind of pastoral epic, called "*Lusitania transformada*," (*Lusitania transformed*) which has been eulogized by Faria y Sousa, and other native

critics. It contains some pretty lyrics, and various eclogues. In one of the latter, Alvares seems to have been smitten with a fancy to imitate Ovid, for the eclogue which is entitled "Saladin," is the story of an unfortunate lover who is metamorphosed into a tree, like Daphne, the sisters of Phaeton, &c.

Alvares represents two persons, Arbello and Ribeiro, in a rural scene in India, sitting under the united shade of a Palm, and of a tree called by the Indians "The Sorrowful Tree," because it is only *at night* that it yields its perfume and displays its flowers, which open after sun-set, and fall off at day-break. This tree, or shrub, which is of the Jasmine family, is called by botanists *Nyctanthes Arbor tristis*, but by the natives in some parts of India, "*Hursinghur*," and in others "*Nilica*." An orange dye is extracted from its flowers. In Lalla Rookh the fair princess is represented as wearing "a silk dyed with the blossoms of the sorrowful Nilica." Ribeiro, calling the attention of Arbello to the trees, says :—

The tree by Indians nam'd "the Sorrowful,"
Mark how it blooms all garlanded with flowers,
And breathes its odours only in the cool
And silent shadow of nocturnal hours.

But from the Pole when in his car of light
Returns at dawn of day the joyous sun,
And touches the fair tree with fingers bright,
Then flowers and fragrance both alike are gone.

Behold the Palm with luscious burden fraught,
Whether the beams of day effulgent glow,
Or night to hide them hath her mantle brought,
Their various fruits those liberal branches show.*

Arbella remarks that there is an old Indian legend connected with these trees, which he proceeds to detail, but so much at length, that we dare not venture to offer more than an extract (in its place) to the reader. He relates, that in a part of the country, far to the east of the Portuguese possessions, there once lived a noble Indian, who had a son named Saladin, endowed with rare gifts both personal and mental : but growing weary of an inert life at home, he fled from his father's house, in search of warlike adventures. After performing deeds (which the poet says *he* will not declare, for that is the business of Fame), the youth at last reached the valley in which the two friends were then sitting, and where there dwelt an old man with a daughter named Grisalda, "*a cele-*

* In the original the Eclogue, is in the *Terza rima*, for which we substitute the more familiar, and more manageable, elegiac stanza of the ordinary structure.

tial planet disguised in a human form, brought down to earth by wrongheaded Fate ; the poison with which love tips his darts ; the harsh prison of noble hearts ; the fierce conflagration of indiscreet souls," thus Alvares describes a beautiful but evil minded woman. Saladin met with her as she was gathering flowers, fell in love of course, renounced his life of adventures, hung up his arms on a tree, and became for her sake a rural swain and tiller of the ground ; though she treated him with coldness, the more to excite his love, and "*to keep alive the flame amid cold ashes.*" But her father who discovered Saladin's love, and found the young man useful to him in rustic occupations, gave him his daughter in marriage, and Saladin thought himself the happiest of the happy. But fortune who loves changes, "*would not thwart her own inclinations for the sake of the lover-husband.*" Chance, or destiny, which ever we may deem the accomplice of fortune, now brought to the valley, one who had formerly dwelt there, and had loved Grisalda, but had been compelled by circumstances to depart from those scenes. He returned thither, and found his beloved the wife of another, yet unhappily still remembering her former inclination for himself, she became unfaithful to her marriage vow, and her guilt was discovered by Saladin, who was distracted between his indignation at her treason, and his own still surviving love. He assembled the parents and friends of Grisalda in a secluded spot, he twined a garland round his head and climbing up into the highest Palm, he addressed the group below. (A ludicrous image, injurious to the effect of the Eclogue ; and showing the decadence of Portuguese taste since the days of the early pastoral poets with their pleasing simplicity, and of the classic Sà de Miranda and his followers.) The speech of Saladin, however, is conceived in a spirit of tender and generous devotedness. He told of his deep grief, of the struggle between love and indignation, and of the victory of love, which forbade him to avenge himself on her to whom his heart had been given, either by taking *her* life, or that of the man for whose loss she would mourn. He gently reproached her for her ingratitude to his unalterable affection, and burst into tears that formed a river which fertilized the Palm, which till then had borne no fruit. (Portuguese critics have condemned this hyperbolical river : but Alvares do Oriente, found a precedent in Petrarch, whose works were assiduously studied by the Poets of the Peninsula).

Ne giammai neve sott' al sol disparve,
Com' io sentii me tutto venir meno,
E farmi una fontana a piè d'un faggio.
Gran tempo umido tenni quel viaggio. †
Chi udì mai d'uom vero nascer fontana †
E parlo cose manifeste e conte.

(Never did snow beneath the sun dissolve
As rapid as I felt me melt away
Into a fountain at the beech-tree's foot.
My wanderings had I sped through humid hours.
Who e'er hath heard of *man* † to fountain changed?
Yet what I speak is manifest and true.)

Petrarch Canzone.

But to continue; Saladin having breathed his last adieu, suddenly flung himself down from the top of the lofty tree, and was killed at the feet of Grisalda; "*and the earth that was thickly covered with emeralds, was now covered with the rubies scattered there by Love;*" says Alvares, with one of those unfortunate conceits that too often disfigured Portuguese poetry after the death of Camoens, and English Poetry under the auspices of Cowley and Donne. Grisalda was seized with shame and remorse, and the spectators, filled with sorrow, buried Saladin upon the spot.

Then bath'd in tears to native earth they gave
His pallid corse, and took the proffered wealth
Of flowery fields to scatter o'er his grave.
When dawn'd next morn, and night with pace of stealth
Retreated timorous to her cavern deep,
Shunning day's radiant glances to behold,
Up from the spot honour'd that trust to keep,
That sacred trust, because less hard and cold
Is earth than human hearts, yea, thence up-sprung
A fresh green tree; for thus transform'd the spot
Which that most pure and noble soul had flung
Aside, now bloom'd with many a leafy cell.
Beautiful Tree! that all thy fragrant
Dost lose when touch'd by female hand (too dear
A woman's hand hath been, hath cost to thee)
In that sweet scent with which from yon high sphere
Thy star hath blest thee, we the type decry
Of thy pure faith—the tints thy flower displays,
Yellow and white, *this* symbol to the eye
Despair; and *that* fair purity portrays.
And falls the flower soon as the forest screen
The sun illumines? 'tis the type of woe
And shame, for love that ill bestowed hath been.
When like rich pearls the dews at Even flow,
Wept by the pensive stars, then sweet perfume
Love to th' unfolding blossoms doth impart.
O loving Flower! that openest to the gloom
Thy treasure'd charms, most beauteous *thou* thou art.
Thus the pure heart on earth its grief doth vent
When the skies weep their own; when heaven is seen
With countless stars, like flow'ers, all besprang,
To flower celestial answers flower terrene.

* Literally, "I had very wet weather on that journey"—a very affected manner of expressing that he had wept much as he rambled.

† But he must have read in his Ovid of a *woman* changed to a fountain viz. Arethusa.

The stately Palm, emblem of triumph, now
 Crown'd with abundant fruits its head up-rears ;
 Yet erst nor fruit, nor blossom grac'd its bough :
 And though the noblest maid its high compeers,
 It yielded to its Lord no tribute—none,
 Save the cool shade that on the plain it threw,
 The parch'd, untill'd, and dreary plain whereon
 The Palm, though sterile, still majestic, grew.
 But since it hath been bath'd in waters shed
 By that true Lover in his sorrowing,
 Proud hath it borne its precious burden, fed
 By tears, a flood pour'd forth from bitter spring.
 The crystal wine* whose sweetness can make glad
 His heart who tastes, that magic sweetness gains
 From bitter source, e'en from those tears so sad
 That bath'd the tree, and fill'd its inmost veins.
 Thus by its gifts the friendly Palm declares
 How all its worth from Lover's pangs hath sprung—
 Such are the honour's Love so faithful bears,—
 The guerdon of fond heart by falsehood wrung.

Grisalda (continues Arbello) was seized by the indignant people, and condemned to the flames : from her ashes sprung up a shrub bearing a poisonous berry. Her guilty lover, flying from the country in hopes of escaping punishment, came unwittingly to the scene of Grisalda's execution, saw the shrub, ate of its fruit to appease his hunger and died of its poison. The moral the poet intended to convey is sufficiently obvious.

In the same poem of Fernan Alvares do Oriente, "Lusitania Transformada" there is a lyric on the charms of Rural Life, which we ourselves much prefer to the Eclogue of "Saladin," being more natural, and quite free from conceits and hyperbole, as well as from images (always disagreeable) of guilt and personal suffering. It is, however, too long for these pages, and we can only offer an extract to the reader.

RURAL LIFE.

Happy, thrice happy he,
 Whose life in rural scenes is past ;
 How peacefully his lot is cast,
 In sure felicity.
 His thoughts in waveless calm repose ;
 Nor chilling fear, nor fluttering hope he
 knows.
 Cheerful he lives, unweary'd by anxious
 thought,
 Nor seeks in prideful Courts,
 Where flattery resorts,
 The favour that at conscience' cost is bought.
 To him doth Nature yield
 Her ready boons—the fields
 Gives him its flowers, its fruits the tree,
 Water the fountain, fresh and free.
 What simple joys can recreate
 His mind content with humble state :
 In green umbrageous glade

He Nature's works may contemplate
 And see her thousand blending hues
 display'd.
 Down from the rugged steep
 He sees the rushing torrent bound,
 And murmur mid white pebbles strew'd
 around.
 He sees his dear-lov'd sheep,
 In the fresh hour of morning tide,
 Close clinging to the mountain's side ;
 And, as along the heights they wind,
 Leaving the verdant meads behind,
 They list with heedful ear the strain
 Sung sweetly by the shepherd swain.
 He sees how morning gay
 Gives to the blossoms, zephyr-fann'd,
 The bright hues of her blush'd brow :
 Wher'e'er his footsteps stray
 He sees the fair shells on the strand,

* The Palm Wine.

The upland flowers with various tintings
glow.
And when the sun hath sunk below
The far horizon's line,
He sees at Even's pleasant time
The moon above the dark hills climb,
And like a watch-fire shine,
The gauzy clouds with silver fringing,
And their thin veils like Iris tingeing.
For him th' abounding Vine
Yields its rich fruit, the purple and the
green;
For him the clusters gush with gladsome
Wine.
When on his valley's peaceful scene
The sunset casts a temper'd ray,
With careless steps he loves to stray;
Now singing as he roves along,

Now listening to responsive song.
Wiling the hours in jocund leisure,
Happy in idleness, indolent in pleasure:
The one lightcare that to his heart is known,
Is for his meek and simple flock alone.
What tho' he boast not vest
Gandy with gold, with silver bright,
Nor dome by Art's fair pencil dight,
For him the earth is drest
In lustrous em'ralds, and the skies,
Paint all around with heaven-born dyes.
He hath no thought, no fear,
Of peril lurking near,
But lays him down to healthful rest
While streams through dewy herbage mur-
muring nigh,
Invite sweet slumber with their lullaby.

Beside the "Lusitania transformada" Alvares do Oriente wrote some small poems that are contained in the Cancionero, or collection of songs by Pedro Ribeiro. With the date and place of Alvares' death we are unacquainted.

We now proceed to poets who wrote after the time of Cameons, and we commence with his commentator.

Manoel Faria y Sousa was of gentle blood, but more especially by maternal than by paternal descent. His father, Perez de Eiro, a gentleman of the Royal household, married Donna Louisa, daughter of Estacio da Faria (a Fidalgo) and niece of Manoel de Sousa, lord of the village and district of Valmelhorado. The son of Perez and Louisa bore the names that he inherited from his mother in preferrence to his father's surname, de Eiro. The original appellation of the Faria family was Gonzales, but the name was changed in the 14th century, in commemoration of an honourable circumstance. In the reign of King Ferdinand of Portugal the Castilians and the Portuguese were at war (as was usual with them); the Castilians invaded Portugal; a part of their army ravaged the province of Entre Minho e Douro, defeated a body of Portuguese troops near Guimaraens,* and took prisoner Nuno Gonzales, governor of the castle of Faria (in the above named Province) which was holding out for King Ferdinand. Gonzales feared lest his son, whom he had left in command when he himself took the field, might be induced to surrender the castle in order to purchase his father's liberation; but dissembling his sentiments he told his captors, that if they would escort him to Faria, he would deliver to them the keys of that stronghold. They accordingly conducted him thither, and on his

* A considerable town, on a hill, 165 miles N. E. of Lisbon.

arrival he demanded a parley with his son, who appeared upon the ramparts above. Then the brave and faithful Portuguese, well aware that he was devoting himself to instant death, exhorted his son in the most solemn and energetic terms, to take no thought of *him*, or of his welfare, but to defend resolutely that important fortress for his sovereign, even though he should at last be buried beneath its ruins, and bade him remember that a man is to be accounted honourable only as he is loyal. The Castilians, enraged at the disappointment of their expectations, fell furiously upon their unarmed prisoner, and dispatched him with many wounds in the sight of his son. But this ignoble cruelty only exasperated, instead of intimidating the young man, and stimulated him to an obstinate and ultimately successful defence. Ferdinand, in recompense, bestowed in him the Castle of Faria, and desired that he and his posterity should thenceforward assume the name of Faria, from the scene of his father's noble self devotion. To this castle the subject of our present memoir alludes in one of his Spanish poems.

It was beneath a pleasant roof where oaks
And chestnuts threw a grateful shade around,
That Clotho on her distaff twin'd for me
Life's thread—a simple, not ignoble, home.
An ancient tower, with lilies sculptured fair,—
Gave me, not riches, but time-honour'd name.

Manoel Faria e Sousa was born in 1590, at the Quinta (county seat and estate) of Souto de Filgueiras (to which he alludes in the above lines) near Pombeiro in a beautiful valley of Entre Minho e Douro, between Guimaraens and Amarante.* At ten years old he displayed abilities greatly in advance of his tender age: he learned quickly, had a retentive memory, was fond of reading, especially history, attempted poetical composition, and executed clever pen and ink drawings. His father taught him the rudiments of Latin; but soon sent him to school at Braga,† an Archiepiscopal city of his native province. There he studied Latin, Logic, and the then usual routine of education; but addicted himself *con amore*, to poetry, and wrote multifarious verses which, in later years, his maturer judgment condemned to the flames.

* A town on the river Tamega, in a pleasant and wooded country.

† Braga is 15 miles from the sea, in a fine open valley, watered by two small rivers, shaded by trees, and surrounded by mountains, and famous for the best oranges in Portugal.

But even in boyhood he demonstrated such peculiar capacity and inclination for business (diplomatic) that, at the age of fourteen years, his relative, Don Francisco Gonsalvo de Moraes, Bishop of Oporto, appointed him his secretary; and undertook to instruct him in every thing necessary to fit him for holding office in the state.

He remained ten years with the Bishop, who is represented as a wise, learned, and amiable man; and then married Donna Catherine Machado, daughter of Pedro Machado, Comptroller of Customs at Oporto. The bride and bridegroom were both 24 years of age at the time of their union.

In 1618 (four years after his marriage) he removed from Oporto to Pombeiro, near which his parents then resided, at the celebrated Quinta of Caravela: and he diligently employed himself in literature, and soon became widely known by his writings, in the pouring forth of which he showed a facility almost as wondrous as that of Lope de la Vega; and like that prolific Spaniard, his reputation is owing more to the multitude of his works than to their superior excellence. In his age good taste had declined: quantity took rank as quality; Portugal, still subjugated, was but a province belonging to Spain; its nationality (so essential to poetry) languished: the literary men wrote principally in Spanish, and had adopted the faults of foreign poets, the affectation and conceits, the inflation and hyperbole of the Spanish Gongora and the Italian Marino, that style, the antipodes of ancient simplicity, called Gongarison and Marinism from its grand masters. Still, however, there is much to admire in Faria e Sousa: he loved literature, and he wrote in earnest (and earnestness always commands some degree of success); he often wrote, too, with grace and vivacity, and in a pleasing strain of sentiment; but he composed much more in the Spanish language than in the Portuguese.

The fortune of Faria was not equal to his birth; his family increased, but his means did not, in spite of his industry, which was indefatigable: and in order to amend his circumstances by the emolument of some official situation, he determined upon going to Madrid (which was politically, though not geographically, the capital of Portugal) whither he had been frequently invited by Pedro Alvares Pereira, Secretary of State to the Spanish King, Philip IV. On arriving at Madrid, accompanied by his wife and children, he was most graciously received by Pereira: but all the hopes he conceived from the interest of the friendly se-

cretary were suddenly annihilated by the unexpected death of that Minister. Thus after all the expense and trouble of a long journey with a very large family, in an era when travelling was slow, laborious, and costly, poor Faria, like a shuttlecock in the hands of Fortune, saw himself obliged to return forthwith to Portugal. But his drooping spirits were somewhat supported by encouraging promises made to him by the Marquis de Castelo Rodrigo,* Don Manoel de Moura, to whom Don Alfonso Furtado de Mendoza, Archbishop of Lisbon, had addressed a letter on Faria's behalf, stating that though the person on whose account he wrote was personally unknown to him, yet from all he had heard of his talents, information, and high moral character, he was sure that the Marquis would find him worthy of his esteem, and eminently useful to the public service; he therefore recommended him for the post of Secretary for India. But the Marquis disapproved of Faria's nomination to that office, as below his merits: and on the same pretext he also opposed another appointment offered by the Portuguese secretary, Francisco de Súcena, to the unfortunate candidate for place, who might exclaim, in reference to the Marquis's patronage, "save me from my friends!"

He returned to Lisbon by sea in search of employment in 1628, and on the voyage contracted a deafness from which he never recovered. The Archbishop of Lisbon anxious to place him in some honorable situation, with a salary commensurate to the wants of his large family of ten children, procured him the appointment of Secretary of State for Portugal. But alas! for poor Faria! he was soon persuaded by his unlucky patron to give up a reality for a shadow. The Marquis de Castello-Rodrigo, being appointed Ambassador to Rome, and knowing Faria's capacity for business, and his indefatigable application, beset the ill-starred man with promises and entreaties, till he induced him to relinquish his office in his native country; and again taking his numerous family to a foreign land, he accompanied the Marquis to Rome, where, on his arrival, he was appointed Secretary to the Embassy, and entrusted with the cypher.

Faria e Sousa applied himself with never failing assiduity to

* Castel-Rodrigo a town on a high mountain (in the province of Beira in Portugal) near the Spanish frontier, was created a county by Philip II. of Spain, for don Christopher de Moura, for whom Philip III. advanced it to a marquiseate.

hard work, unvaried by any amusement, not even by the recreation of social intercourse, from which he always kept himself aloof. He was, however, much noticed by the Count de Castelvillani, Grand Chamberlain at the Papal Court, who was well acquainted with his works, and who urged him to write a poem on the coronation of Pope Urban VIII. He complied, and that Pontiff, who was himself a follower of the Muses, accepted the tribute with much pleasure, and in an audience, at which he received the author, in September, 1633, he expressed his delight at what he termed, "the elegance, harmony and buoyancy of his verse." Yet save empty praises, he reaped little benefit from his labors in the eternal city: and hopeless of ameliorating his condition there, he returned with his family, to Madrid in 1634. But on his re-appearance in the Spanish capital our luckless bard, met with an unexpected blow, being arrested on a charge of some breach of diplomatic confidence, some official indiscretion, *he* who was one of the most unsocial and uncommunicative of men. By the kind offices of Don Jeronymo de Villanova, then Secretary of State, he was, however, soon restored to liberty, and had a small pension granted to him. But he saw that his expectations of promotion were fallacious; Fortune was but a step-mother to him, and Hope a deceiver: and he composed for himself a device, having on one hand the ancient Castle of Faria, with its heraldic lilies, and on the other, an open compass standing on a book; the whole surmounted by a crown, with the motto, "In vanum laboraverunt." By which he meant to express, that neither his 30 years of labor, literary and diplomatic, both at home and abroad, his honorable birth, his connections with the highest families in Portugal, nor his great industry, had availed to procure him any substantial benefit—all had been in vain.

His case seems hard: yet, by the account given of him by his biographers, he was ill adapted for any post requiring intercourse with, and knowledge of, the great world. His love of seclusion was carried to eccentricity; in whatever country he might be, he shut himself up in the bosom of his own family, going nowhere but to church, and steadily refusing every invitation, saying that he should feel far less pleasure at the most epicurean table, than when seated at ease at his own frugal board. He was even scarcely known by sight to the ministers from whom he should receive his despatches. *Ex quovis ligno*

non fit mercurius; and he was not the material of which to make a Minister of State: though he had exactly the qualities for the drudgery of a subordinate. His deafness unfitted him for general conversation, and gave him the air of being cold, taciturn and austere; but by the few with whom he would occasionally converse, he was esteemed as an amiable and agreeable companion, full of anecdote and clever apophthegms. He was a steady lover of truth, and contemner of flattery, a moral and religious man, an affectionate husband and father.

With the title of Knight of the Portuguese Order of Christ, and with a small pension as a commander of the Order of the Knights of Rhodes, he retired, from diplomatic service, fixed his abode at Madrid, and devoted himself to a most laborious life of literature, for the maintainance of his family. He rose at day-break to write, and rested only while taking his meals. His pen was so quick, and his ideas so varied, that he has been known to write in one day a hundred letters of condolence, or of congratulation, as occasion required; and each different from the others in thought and expression. It was his habit to write daily 12 sheets, of 30 lines on each page, each line containing at least 60 letters (of the alphabet) and during the execution of this task, he was obliged to seek among many books the materials for the work on which he was employed.

As a poet Faria e Sousa does not stand in the foremost rank of Portuguese bards. He is deficient in the rural simplicity and tenderness of the old pastoral writers, and was perverted by the false taste of his day for conceits and farfetched antithesis, and hyperbole.* Of his eclogues 12 only are in Portuguese: and in his ideas of pastorals he included subjects which are not bucolic:† and wrote judiciary, monastic, critical, and genealogical eclogues. He has been, however, adjudged, the praise of having composed some few eclogues in the true spirit of pastoral life. His sonnets are considered the best of his poems: out of an immense number he selected 600 for publication: of these (which he called Six Centuries of Sonnets) 400 are in Spanish; the remaining 200 in Portuguese. These

* The most glaring instances of these faults occur in his *Spanish* poems.

† Faria seems to have followed the example of the Italian Sanazzaro who (in the 15th century) wrote Piscatory Eclogues in Latin; but our Portuguese bard went farther than Sanazzaro in extending the range of the eclogue.

are often graceful in style, pleasing in sentiment, and sweet in versification. We select for translation two or three that have been favourably quoted (in the original Portuguese) by Bouterwek. Faria, who was a methodical man, arranged his sonnets (as well as his eclogues) in classes, according to their subjects.

Giving the precedence (as of right) to the power that
"Rules the Court, the Camp, the Grove,"

we shall commence with a

LOVE SONNET.

Nymphs of the Valley! Nymphs, whose
beauties rare,
In each like thousand flowers are blooming,
Revealing to our eyes a human spring,
With charms so blushing, and with tints so fair—
O lovely ones! that in your radiance are
The earnest of yon sphere's immortal light,
Come, with your beamings, with your
roses bright;

Haste ye to aid me in my pleading care,
For laden with abounding flowers I come
On this glad day to grace, with chaplets
new,
The portals of my lov'd Albinia's home.
But jealous for your beauty's glory, you
Refuse my prayer, and come not—well ye
know
That by her side your charms diminish'd
show.

The next place after love we must accord to memory that
consoles and animates love.

SONNET OF REMINISCENCE.

Whene'er I seek that spot, (a fairy tale
It seems) where first it was my bliss to
see,
In human frame, a bright divinity,
Or human beauty defied—the while
I think upon that slender form, that smile
Ambrosial, that transparent blush, that
small
And snowy hand, that voice so musical,
Whose words impart new life whilst they
beguile,

That step so airy, that we think the spring
With all its charms, in fullest grace
doth move,
Touch'd by the lightsome Zephyr's play-
ful wing—
Then, then once more my heart is fired
with love—
Then, by my ardent wish alone portrayed,
That radiant quietly presence shines dis-
played.

Our last specimen shall be taken from Faria's "Second
Century," from the class he calls his moral or sentimental
sonnets.

SONNET OF REGRET.

They've pass'd away, my green and
thoughtless hours,
Fresh April-time of human vanity;
A spring so false, delusions were its flowers,
And errors all the fruits they bore for me.
Fallen are the useless blossoms—prompt to
flee:
Past is the summer of an ardent age,
To youth too dear—those tints so fair to
see

Mask poison dire for Reason calm and sage.
These I've renounc'd, I ween without recall,
But know not if exemption I achieve
From fierce assaults that make the mind
their thrall.
Faregone delusions scant assurance give
That of these flowers the fruits have per-
ish'd all,
Since, though long years are dead, long
habitudes still live.

Except the 12 eclogues, and the 200 sonnets, all Faria's
poems are in Spanish: he collected them (in both languages)
in a work in several volumes, called "the Fountain of Aga-
nippe."* In his literary seclusion he wrote more of prose

* Among his poems are the fable of Narcissus and Echo, Albinia
Epithalamiums, Elegies, religious poems, etc.

than of poetry, and composed much on history, statistics, and criticism. Among his works one of the principal is "*Europa Portuguesa*" (Portuguese Europe) a history of Portugal from the beginning of the world : it is in Spanish, and is thought by Sismondi to "deserve attention more from its style, and the talent it displays for narrative and oratorical composition, than for its historical merits, the exactness of its researches, or the soundness of its criticism." We should, doubtless, consider history in a very mistaken point of view, if we should suppose with our author, that the serious and dignified tone, together with the lucid order and simplicity, which it requires, are to be made subservient to a continual desire of shining, and to a crowd of promiscuous ideas, and daring images. But it is only a man of superior talents who is likely to fall into such an error ; and in fact, while we peruse the work of Faria, we cannot help regretting at every line, the unfortunate misapplication of the talents with which he was endowed. He also wrote on the Portuguese affairs in the Asiatic, African, and American Colonies ; on the empire of China ; on the history and genealogy of the Count of Barcelos, and the Marquis de Castello Rodrigo.

Among his critical works are three treatises : "On the Sonnet :," "On the erroneous ideas of the moderns concerning Poetry :," and "On Pastoral Poetry :," these have been esteemed by his own countrymen as canons of sound criticism ; but the critics of other countries judge them to contain much that is false in reasoning, and contrary to good taste. But the great work of Faria, on which he was employed for a quarter of a century, is his commentary on Camoens, or we should say his commentaries, being in two parts, the one on the *Lusiad*, the other on the miscellaneous poems of Camoens. These commentaries he very inappropriately wrote in Spanish, using the language of his country's conquerors to treat of that national poet whose patriot heart burst when he foresaw the fall of his country. The Commentaries are valuable for the information they afford concerning the lives of Camoens, and of the great Portuguese navigators ; and also for the historical data industriously collected to illustrate the *Lusiad* and the minor poems of Camoens : but it is blamed by Bouterwek and Sismondi as being overloaded with a mass of erudition foreign to the subject, and as defective in taste and judgment, for while Faria extols Camoens, instead of appreciating the real beauties of that

great Poet, he reveres him for the one great blemish on his perfections, his mythological pedantry.

In 1640, a remarkable event occurred, the liberation of Portugal. The Portuguese, weary of the Castilian yoke, which was both galling and insulting; indignant at the violation of all the laws by which the Kings of Spain were bound to govern Portugal, secretly planned, and successfully executed, a revolt against their foreign masters, from whom they freed themselves after a servitude of 60 years, and called to their throne, by the title of John the IV. the Duke of Braganza, as the nearest of kin to their last legitimate sovereign, the Cardinal Don Henry. The deliverance of his native land made no change in Faria's life, though it filled the mass of his countrymen with enthusiasm; he continued to live at Madrid as a Spanish subject: perhaps he was influenced by the feeling, that in Portugal he had gained nothing but empty renown, but in Spain he had obtained a pension; he had declined not a little from the patriotism of his honoured ancestor, Nuno Gonzales.

The excessive labours to which Faria was a slave, the total want of exercise for his body, and of recreation for his mind, ruined his health; he became the victim of an excruciating malady, from the tortures of which he was at length released by death on 3rd June, 1649, at the age of 59; and was interred in the Conventual Church of the Præmonstrant Order at Madrid.

He had lived in uninterrupted harmony with his wife for 35 years, and was the father of six sons and four daughters. One of his sons, Pedro Faria was a captain of cavalry in the Spanish Army, and served in Flanders; he married a lady of Madrid of a good family, Donna Lousia Narvaes Delgado. Another son, Manoel Faria, also embraced the military profession, and went to India in 1639. One of his daughters, Donna Louisa Faria e Sousa (who married Don Conrado de Freitas Paym) was admired for her great skill in painting, and for the excellence of her performance on various musical instruments.

We now proceed to notice a celebrated cotemporary of Faria e Sousa, who less voluminous, and consequently with less of pretension, had fewer faults and mere merits as a poet, and more patriotism as a Portuguese than Faria.

Antonio Barbosa Bacellar, born at Lisbon about 1610 (twenty years after the death of Faria y Sousa) was the son of Francis Barbosa Bacellar, and his wife Donna Gracia Gomes

Pereira, who was of the lineage of the heroic Nuno Alvares Pereira (Constable of Portugal under John I) who by his eloquence excited his depressed countrymen, to resist a formidable invasion of the Castilians* in 1383, and who with only 6600 Portuguse, defeated, at Aljubarrota, the hostile army, 30,000 strong, led against him by his own brother, and skillfully following up his advantage, he delivered the kingdom from its danger, and established John upon the throne.

The young Bacellar, even in his boyhood, attracted attention by the clearness of his judgment, the quickness of his comprehension, and the extraordinary powers of his memory. Barbosa Machado, in his *Biblioteca Lusitana*, (Portuguese Library, or rather Dictionary, of Authors) affirms, that before Bacellar had completed his 16th year, he was accomplished in Latin, rhetoric, poetics, philosophy, theology, and mathematics, (quite an Admirable Crichton) and that in the Jesuit College of St. Antonio he disputed publicly on those different branches of learning, and answered with so much promptitude and ability that he excited equal wonder and admiration. His memory was so quick and so retentive that on reading or hearing read two or three pages of any book, he would repeat them faithfully, without missing or altering a single word; a feat which he often displayed in the presence of the literati of Lisbon.

Obedient to the wish of his father, he went to the University of Coimbra, that favorite of Portuguese Royalty when Portugal had her own kings, to study Civil Law, which was then the most certain road to fortune and to office. He embraced this profession with so much zeal, that he subsequently distinguished himself as soon as he had a favourable opportunity for displaying the fruit of his diligence, perseverance, and talents.

Amid his grave studies poetry was to Bacellar more than a recreation, it was a delight. His poems were published before he had completed 25 years, and were at once hailed with universal applause, and many complimentary verses were addressed to him by various pens. He wrote with facility, sweetness

* The King of Castile claimed Portugal in right of his wife, Beatrix, only child of the then late sovereign Ferdinand: but the Portuguese, detesting the idea of a foreign king, called to the throne, John, natural brother of Ferdinand.

and elegance both in Portuguese and Spanish : his good taste rejected the fanciful extravagances in which the admirers of Gongora and Marino indulged : as correct in his style as Ferreira, he excelled him in feeling, grace, ideality, and animation. He took Camoens for his model, and wrote several beautiful glosses on sonnets by that noble poet. He introduced into Portugal a class of poems which he called *Saudades*, an untranslatable word peculiar to the Portuguese language, which means a mingled sentiment of regretful memory, an anxious longing in absence for a beloved object. These *Saudades* are a kind of pastoral narrative in an elegiac strain. The versification (in the original Portuguese) is sweet and flowing, and they contain many pleasing, and even beautiful images, but they are prolix, and have not much variety in their subjects. Of this class he wrote the collections called the "*Saudades of Lydia and Armido*," and those named the "*Saudades of Aonio*:" the latter being the most generally esteemed, we shall attempt the translation of a passage wherein Aonio is meditating among flowers, upon his love.

AONIO.

Intent he ponder'd o'er each flower,
And from each leaf and bud could borrow
Some fond allusion to his sorrow.
A Rose, flush'd like the sun-set hour,
Graceful as e'en the noblest Fair,
And with a prideful star-like air,
Display'd all glorious to his view
The splendour of its crimson hue.

Aonio mov'd to weeping,
In tears the bright rose steeping,
Sighed forth, Remembrance of grief!
Emblem of loveliness too brief,
E'en here whom once, short while, I deem'd
mine own,
Now like a shadow, vapour, snow-flake
gone—

Ah! why recall that short-liv'd beauty's
doom!
The Rose that died in source unbid
bloom.

O'er fragrant bowers white jasmines spread
Their flowers, the summer's snow,
And fill'd the air with odours shed
Around, above, below.
A mournful glance Aonio cast
On those sweet garlands wreathing,
And thought, how long! how long! since last
I press'd her soft lips breathing
Their fragrant—since last her voice
Melodious made my heart rejoice,
And on my ear enchanted fell,
Like fabled magic of an Eastern spell.

He wrote many sonnets both in Spanish and Portuguese: from the *latter* we select one for translation.

SONNET.

ON A NIGHTINGALE IN A CAGE.

Bird! gentle prisoner! thy sweet melodies
Thou warblest blithe, with cadence, swell,
and thrill,
As if in freedom thou wert ranging still,
The grove's Amphion, Orpheus of the skies.
For thou didst lose the pleasant memories
Of liberty, down by yon lucid tide,
Where treacherous hands hid, on its sedge
side,

The snare that made thee, mid thy glee, its
prize.

And I, too, am a prisoner, e'en like thee:
For there are eyes, bright as the cloudless
day,

Where Love in ambush spread a snare for
me—

But I in sorrow live, while thou art gay:
like art thou and I in captive state;
But thou'rt content; I murmur at my fate.

In Spanish Barbosa Bacellar wrote various decimas (poems in stanzas of ten lines) and romances, besides sonnets: but

when he adopted the tongue of Spain, he indulged more lavishly in conceits and *Gongorisms*, than when he thought in his own language. We shall select as specimens of his Spanish muse a set of *decimas*, and a romance, the ideas in which (especially in the former) will remind the reader of the fancies that were fashionable in the days of our own Cowley, Donne, &c. The similes in the 2nd stanza of the *decimas* are certainly overstrained: because a lady's hand is white, it must be compared to Potosi, famous for its silver mines, and still more extravagantly, to crystal, and the loss in crystal is repaid by the ruby blood. The first and last stanzas, too, seem somewhat contradictory of each other.

DECIMAS.
FROM THE SPANISH.

ON A LADY WHO WOUNDED HER HAND
WHILE CUTTING JESSAMINE.

1.

Cloris, cruel, killing Fair,
Weary of her victories,
Piercing hearts and blinding eyes,
Now her darts of death doth spare:
Now her taper fingers bear
Blade of steel with blood besprent,
Yet devoid of dire intent:
Satiated with her conquests' pride,
Murderous shaft she lays aside
For less fatal instrument.

2.

Yet the steel is traitor found:—
With its keen, unfeeling edge
Hath it dar'd—O sacrilege!
Dar'd that snowy hand to wound.
As a spring bursts from the ground,
So from that new Potosi
Streams of crimson gushes free;
Precious rubies thus repay

All the crystal stolen away
By that weapon's treachery.

3.

Sylvan saw, and loath'd the steel:
Wrathful it had dar'd so much
Envious of that hand's soft touch,
Thus he spake with lover's zeal:
"Woe befall the blade could deal,
Cloris, e'en one pang to thee;—
Yet 'tis love's revenge we see:
Beautiful, below'd in vain!
Wounding hearts with cold diadain,
Now thou know'st what pain can be.

4.

"Cut no more, 'tis luckless hour,
Of the pure white jasmine here:
For those red drops, though so dear,
Blemish, while they paint, the flower.
Why hath cruelty such power
O'er thy heart, that thou would'st stain,
Rather than its mood restrain,
When there's other victim none,
Wreak it on thyself alone,
Practising thy skill to pain."

The following romance is a sportive apology for the indiscretion, or want of politeness of a friend: its playfulness makes amend for its conceits, which, however, are not nearly so *outrés* as numbers that are prominent in Spanish and Portuguese versification of the period. We abridge the romance; its 26 quatrains would be too many for these pages, and perhaps for the reader's patience.

ROMANCE.

FROM THE SPANISH.

ON A GENTLEMAN WHO FELL ASLEEP WHEN
IN COMPANY WITH A LADY.

1.

Laid on Cloris look'd—then slumber
Stole o'er his eyes: his fault was light:
For sleep refreshes, and he needed
Refreshment from that dazzling sight.

2.

He slumber'd, and the act though heedless,
Still with discretion mark'd must seem:
For though 'twere blissful to behold her,
Yet bliss is but a sleep, a dream.

3.

And more—respect, though mute, yet modest,
This courteous slumber doth display,
In closing thus those eyes whose glances
Might dare, unwell'd, too much to say.

4.
Yea, thus the more intent and steadfast
Upon her radiance can he look;
She is the sun—what eyes unshaded
To gaze upon the sun can brook?

5.
And Wisdom may approve the reason
Of this so-seeming lethargy:
For useless were his best endeavour
To look on what he could not see.

6.
It was not disregard, but prudence
That seal'd in cautious trance each lid:
For Lycid from the nymph's perception
Hath thus his loving rapture hid.

7.
Too well he knew that Cloris' bosom
Felt nought for him but deep disdain:
And thus hath he renounc'd a pleasure,
To save her pride a moment's pain.

8.
Sight is not always Faith, and Lycid
Doth manifest finesse and skill,
That seeing not he may continue
Believing in her beauty still.

9.
'Tis much to look on lovely Cloris,
Yet more, far more, to comprehend;
And thus he fear'd, if he beheld her,
At once must comprehension end.

10.
To see her were a bliss diminish'd
As soon as gain'd, for Wisdom saith
That happiness existeth ever
The less in sight, the more in faith.

11.
And, well content without obtaining,
Doth self-denying Lycid prove
That, bliss attain'd he far less prizes
Than the still, longing wish of love.

12.
And if, as minstrels tell us, beauty
Be the sweet music of the eyes,
He that hath felt its charm doth wisely
When to forget the spell he tries.

13.
And Lycid's sleep by skilful token
The double power of Cloris shows,
That though her beauties Care awaken,
Again they lull it to repose.

14.
Lycid on Cloris look'd, and slumber'd,
A sleep as with enchantment fraught;
A sleep by Cloris' charms effected,
A miracle their power hath wrought.

15.
Yet 'twas less sleep than 'twas suspension
Of outer life, for thus would he
Concentrate all his soul, the better
His Cloris' loveliness to see.

16.
He made his heart a hallow'd altar,
And thought and sight confining there,
Ador'd with well-adapted homage
An Idol, the disdainful Fair.

17.
Yea, Sense confined within doth worship
A portrait, as in vision blest,
'Tis Cloris' form, by Cloris' pencil
Traced faithfully within his breast.

18.
His slumber is a voice that mutely,
But plainly, hath his meaning told.—
The better thus with sight concentr'd
Her bright perfections to behold.

19.
O happy youth! whose soul ingenious
Its faith and love through sleep displays:
Thou while a lover's pangs evading
Can'st merit still a lover's praise.

Many miscellaneous poems of various kinds, romances, elegies, decimas, &c., flowed from his ready pen, and (together with his sandades, sonnets, and glosses) have been printed in a collection of the poems of different authors of the 17th century, called "The Phoenix Renovated," (Phenix renascida) published at Lisbon by Mathias Pereira da Sylva, and others.

When the Revolution of December, 1640, freed Portugal from the despotism of Spain, Bacellar, unlike the Castilianized Faria, felt as a true Portuguese, and contributed his aid to the cause of the natural sovereign. Making use of his legal talents and knowledge, he wrote a defence of the rights of the Duke of Braganza to the throne. This work, called *Statera Veritatis* (The Balance of Truth) was considered so just, so convincing, and so masterly, that it did the new King, John IV., essential service; and at once raised the author, then but 30 years of age, to so high a reputation in his profession, that it determined him to abandon poetry wholly, in order to devote all his mind to jurisprudence, naturally expecting to make his way to

some lucrative appointment at Coimbra. Thus he took the opposite course from his countryman, Sà de Miranda, the great Italian, Tasso, Ariosto, and Petrarch, and our own Milton, who forsook the hall of Themis for the fountain of the Muses.

He took a doctor's degree at the University of Coimbra, and was renowned for his eloquence, his mature judgment, his profound views, and his extensive knowledge. But becoming candidate for a vacant professorship, and seeing a person of much inferior acquirements preferred to it, either by interest, or by bribery (for long subjugation had deteriorated the Portuguese character) he felt so much disappointment and disgust, that he quitted Coimbra for ever, to the great regret of the majority of the inhabitants both of the city, and of the university, and repaired to Lisbon, when John IV., mindful of his former service, appointed him, first, corregidor (chief civil magistrate) of Castelo-Branco, and afterwards Provedor of Evora.*

Though he had abandoned poetry, he now occasionally wrote some prose works, such as a commentary "*in textus Jurisconsulti Pomponii*;" an account of the taking of the Fort of Recife in Brazil, by the Portuguese from the Dutch, in 1654; an account of the victory gained by the Portuguese over the Castilians at Elvas, in 1659, a memoir of don George de Mascarenhas, Marquis de Montalvan, the life of don Francisco de Almeyda, Viceroy of India, &c. &c., all (save the commentary, which is in Latin) in Portuguese.

In 1656, his patron, John IV., died: but that monarch's successor, Alfonso VI., appointed Bacellar in 1661, head of the Supreme Court of Justice, and the Court of Requests at Oporto; and held out to him hopes of advancement to the highest posts in the kingdom. Bacellar, however, did not live to see his hopes fulfilled; he died, rather unexpectedly, at Lisbon, in February, 1663, aged 53, and was buried in the Convent of San Francisco in that city, with every demonstration of general respect and regret.

* An archiepiscopal and collegiate city, capital of the Province of Alentejo.

ART. III.—THE REV. ARTHUR O'LEARY.

1. *Essays by the Celebrated and Much Admired R. P. Arthur O'Leary, of the Kingdom of Ireland; with Notes and Observations, Critical and Explanatory; with the Life of the Author Prefixed: Compared with, and Carefully Corrected by the Dublin Edition. A Book well worthy the Perusal of every Person, but especially the Roman Catholics of this Kingdom, at this very Important Period,* London: Published for the Editor by S. Bladon. 1782.
2. *Miscellaneous Tracts*, by the Rev. Arthur O'Leary. Dublin: E. and B. Dowling. 1816.

There are not many Irishmen in the least conversant with the history of their country for the last hundred years, who have not at some period of their lives read or heard of Arthur O'Leary, though we believe that but few could tell exactly who or what was the bearer of that once well-known name. From the faint traditions regarding him which are still preserved; and the few sayings still repeated as specimens of his peculiar humour, there is an impression prevalent that he was a mere clerical wit; a kind of Irish Political Rabelais, whom Protestants indeed will not exactly venture to claim as one of their body; while Catholics are not quite satisfied if his orthodoxy may safely be allowed; and have serious doubts if he be one of whom they have reason to be proud. That such ignorance should prevail about such a man as Arthur O'Leary is only an additional proof of the disgraceful apathy with which the Irish, to their shame be it said, too often regard the memory of their best and greatest men.

We do not indeed pretend to claim for the subject of this memoir a leading place amongst the great men who flourished in an age prolific of greatness; but we do not hesitate to assert that there are but few who, as Irishmen, better deserve the notice of their countrymen; none who, as Catholics, demand more strongly the grateful admiration of their co-religionists. He could have been no ordinary man, who, though born of obscure parents, educated in a faith which was proscribed by law, the minister of a fiercely persecuted religion, and the member of an order which was the peculiar object of a savagely penal code; was yet able to command the respect of

a hostile ministry ; and win the regard of bigoted opponents, while retaining the affectionate and grateful esteem of the members of his own Church. Such a man was Arthur O'Leary ; and it is with difficulty that we can refrain from indignantly asking, how comes it that the signal services of such a champion are so completely forgotten? In other countries brilliant statesmen, successful generals, and distinguished authors, have statues erected to their memory by a grateful people : in Ireland we consign them and their benefits to the silent oblivion of the tomb. France all but deifies a Voltaire and a Rousseau ; England preserves as a sacred relic the house consecrated by the residence of a Shakespeare ; Scotland erects a national monument to Walter Scott ; Ireland forgets even the names of her most deserving sons. Our public monuments are erected chiefly to the memory of men who were not Irish ; we hide carefully from public view the few statues of Irish patriots which do exist ; and the electors of an Irish County prefer an English newspaper editor to the son of Henry Grattan.

Arthur O'Leary was born in the County of Cork, in the year 1729. Though descended from an old and respectable family, his parents were at the time of his birth reduced to a rank but little superior to that of the peasantry. Of his youth nothing is known. Suffering, like the rest of his fellow-Catholics, from the monstrous enactments which restricted the education of a Roman Catholic, he could, while he remained in Ireland, have made but slight advancement in learning. Having resolved on embracing a clerical life, O'Leary, in 1747, repaired to France, and entered a Convent of Franciscan Friars at St. Maloes in Brittany. Here he remained for some years, actively employed in the study of theology, until his ordination. On the breaking out of the Seven Years' War between England and France in 1756, O'Leary was appointed Chaplain to the prisons of St. Maloes, where were confined a number of British soldiers who were prisoners of war. A large proportion of them were Irish, the majority of whom were Roman Catholics. His duties as Chaplain were performed with such attention and humanity, as to call forth, in after years, the expression of deep gratitude from some officers of rank who then experienced his kindness. The Due de Choiseul was then the Minister of France, and he conceived the idea of availing himself of the services of the Irish prison-

ers of war against the English forces. The valour which they displayed on the field of battle had excited the admiration of the French army, and it was supposed that they would gladly join the ranks of the celebrated Irish legion; while the attachment which the Catholics were understood to feel for the family of James the Second, induced the minister to imagine that they would willingly agree to serve under the banner of a nation which protected the descendants of the unfortunate Stuarts; against a country to which they were indebted for nothing but tyranny, oppression and persecution. To ensure success the co-operation of O'Leary was sought for; but he indignantly spurned the proposal; nobly preferring to run the risk of losing the pension to which he was entitled as Chaplain, and to encounter the hostility of a powerful minister rather than be a party to inducing subjects to disregard the sacred duty of loyalty which they owed to their Sovereign. In a pamphlet written many years subsequent in defence of the loyalty of Catholics, against the base and unfounded insinuations of Mr. Wesley, he thus alludes to his conduct on the above occasion. "In a Catholic country, when I was Chaplain of war, I thought it too a crime to engage the King of England's soldiers or sailors in the service of a Catholic monarch, against their Protestant sovereign. I resisted the solicitations, and ran the risk of incurring the displeasure of a minister of state, and losing my pension; and my conduct was approved by all the divines in a monastery to which I then belonged; who all unanimously declared, that in conscience, I could not have behaved otherwise."

O'Leary, however, was not deprived of his office, and he continued to act as Chaplain until the war was terminated by the Peace of Paris in 1763. He remained in France until 1771, when he returned to Ireland, and took up his residence in the City of Cork, where he erected a small chapel in which he officiated for several years, and which was well known as Father O'Leary's Chapel.* His reputation as a preacher soon attracted a crowded congregation, which consisted in great measure of persons opposed to each other in religious belief, but all of whom agreed in admiring the eloquence of the

* This Chapel still stands, but is no longer devoted to its former holy use; it serves now as a shed, and a valued correspondent informs us that when he paid it a visit in the summer of 1855 it was occupied by the water carts of the corporation of Cork.

Friar. His sermons are described as being remarkable for a happy train of strong moral reasoning, accompanied by bold figures, and frequent Scriptural allusions. He but seldom engaged in religious controversy; and even when indulging in that proverbially difficult task, such was the kindliness of his nature, and so strongly was he imbued with the precepts of charity and good will, that he never, knowingly at least, offended the religious feelings of his auditors.

O'Leary continued for some years actively and zealously engaged in the discharge of the duties of his ministry in Cork, without the occurrence of anything to disturb the even tenor of his life. A change, however, was at hand, which drew him forth from his obscurity, and soon made known to a wider circle, the abilities which had hitherto been confined within the narrow precincts of a provincial town. In 1775, a Scotch physician named Blair, but who assumed the nom-de-plume of Servetus, published a work which, under the specious title of "Thoughts on Nature and Religion," was replete with absurd scepticism, not unmingled with blasphemy. Claiming to be the champion of free thought in religion, he boldly attacked some of the most universally acknowledged tenets of the Christian dispensation. The circulation of his work was very extensive; and as it soon began to find its way from the middle to the lower classes of society, the friends of religion, dismayed at the vast strides which irreligion and infidelity were making both in England and on the continent, were alarmed at the prospect of the injury which the diffusion of the publication was calculated to effect in Ireland. In this difficulty they applied to O'Leary, who, yielding to their pressing solicitations, resolved to attempt the refutation of the plausible arguments which had been advanced by Blair. At that time, however, the residence in Ireland of a member of any religious order was strictly forbidden by law, and O'Leary deemed it but prudent to obtain the sanction of the Protestant Bishop of the diocese before he ventured to enter the lists with Servetus. After some deliberation this permission was accorded by Dr. Mann, and O'Leary soon gratified his friends by the publication of his "Defence of the Divinity of Christ." It is not possible to commend too highly this production: although a century has almost elapsed since its publication, during which the press has literally teemed with controversial tracts of every description, it would not be an easy task to select one, the arguments of which are more conclusive, or

which is more clearly and more forcibly written than this Defence." Intended for popular use, its style is admirably adapted to the object for which it was written. There is no attempt at ornament, or even elegance; but by a train of calm and conclusive reasoning, he triumphantly refutes the specious arguments by which the divinity of Christ, and the immortality of the soul, were sought to be impugned. It appeared in a series of letters; in the first of which he shows that the tendency of Dr. Blair's work was to deny the divinity of Christ and the immortality of the soul; and by so doing to sap the foundations of Christianity, degrade humanity, and overturn religion both natural and revealed. That by removing religious belief, the poor were deprived of their only solace in affliction and misery, the rich had the sole bridle to their licentious passions wrested away, while the wicked were freed from the single check by which they could be affected in their course of crime. He shows that the tenets broached by Servetus were not merely opposed to the doctrines of religion, but also militated against the first principles of reason; and even if true could be of no possible service to mankind: so far from that being the case, he alludes to the fact that most nations regarded in the light of a public pest him who advanced opinions against the immortality of the soul. Analysing the motives which have at different periods induced men to propagate such systems, he shows the two sources from one or other of which they have invariably sprung; either from the corruption of the heart eager to indulge its evil passions, or from vanity of mind which sought for distinction in singularity. To the latter quality the doctrines now advanced by Servetus could not lay claim, being almost identical with those which Lucretius, the Pagan poet, had put forward nearly two thousand years before. After alluding with humorous sarcasm to some forced and ridiculous allegories which had been drawn by Servetus from certain passages in the Old Testament, he concludes with some forcible remarks on the inadequacy of human reason to explain any, even the simplest operation of nature, and the consequent futility, not to say presumption, of man attempting to unravel the grand mysteries of religion. In the second letter he alludes to what St. Paul said in reference to the "vain imaginations" of the philosophers of his time, as equally applicable to the free-thinkers of a later day; for they, like Servetus, attempted to demonstrate that Moses was merely an allegorical writer. He

shows, however, that his character and his writings distinctly prove the truth of his narrative: while he insists that were it not for revelation man would be an inexplicable mystery for it alone can adequately account for the corruption of his nature, and the vast train of evils with which the world is inundated: it alone can explain the opposition between our passions and our reason, and vindicate the wisdom and the mercy of God. He asks the philosophers, who in a strain of irony deride the Bible, what answer could they give, were the question proposed to them, whether the cause of all the evils with which the world is afflicted was the injustice of God, or the original sin of man; and shows that even the Pagans were forced to say, that we were born only to suffer in this life the punishment which we had deserved for crime committed in a former state. He refutes the idea of natural religion being all that man requires to guide his actions, by the conduct of a Plato, a Socrates, and a Seneca; and adduces other examples from the ancients to prove the utter insufficiency of unassisted human reason: while he asserts that a child instructed by a mother who has never studied philosophy imbibes truer and sublimer notions of virtue, than the wisest of the Pagans had ever been able to conceive. He enlarges on the many benefits which have redounded to man from Christianity; and on the vast debt of gratitude due to it by mankind, for the greater refinement and the higher notions of morality to which it has given birth; and shows that man alone is in fault if he do not derive still greater advantages from it, because he does not approach the consideration of its dread mysteries with an earnest and a purified mind. As, to quote his own words, "we ever and always lose our innocence, before we laugh at our catechism."

In the concluding letter of the series, he applies himself to the removal of the objections against the Divinity of Christ and the immortality of the soul, drawn by Servetus from some alleged obscurities in the Scriptures, and shews the true meaning to be attached to those particular passages; proving by irresistible arguments that if Jesus Christ was not God, he was the greatest imposter that ever appeared on earth; and holding up to scorn the absurdities to which incredulity has ever led its votaries. Examining the opinions put forward by Servetus with regard to the soul, he shews that the justice of God requires a future state; for the belief in it can alone reconcile man to his apparent injustice on earth. He adduces examples from the writings of some of the modern Freethinkers

to prove that the effect of their doctrines is, to elevate the instinct of the brutes, while they degrade the reason of man ; and to shake the foundations of morality by seeking to deprive the soul of its immortality. We extract one passage, from the last letter which is a good specimen of his peculiar and sarcastic style. " Servetus is so confident that the soul of man, and the soul of the brute, are of the same nature and will both perish alike, that he affirms 'Soloman and Sir Isaac Newton to be no more than the production of what their fathers eat ? and deplores our blindness for having been deceived by the schoolmen whose cunning has first introduced this notion of immortality. We shall not dwell long upon the nature of Solomon's and Sir Isaac's souls, which certainly must have been made of the most refined and sublimated particles of matter. Old Scriblerus seems to have entertained the same opinion with the Doctor ; for he would not permit his child Martinus' nurse to eat any roast beef or heavy aliments, lest his son should become too heavy and dull. Hence his choice of attic and Roman dishes, in order that their juices should impregnate his son with the valour and elegance of the ancients. The Doctor would oblige us if he informed the public of the quality and quantity of food used by King David. We should soon have numbers of Solomons. Manifold would be the advantages accruing to society from such a discovery. Instead of losing most of our time in colleges, the outlines of the plan of education suitable to the clergyman, the statesman, the lawyer, could be sketched in the kitchen, and completed at table. The beau and the belle should feed on butter-fies ; calves-feet jelly would qualify the courtier and *petit-maitre* for making a flexible and graceful bow. I believe that the harshness and acrimony of religious disputes, controversial writings and anniversary sermons, proceed from the great quantity of black-pudding and mustard, which our polemical divines eat at their breakfasts, and if we only knew the spoon-meat, with which the Doctor was fed, we should know the olio requisite to make a philosopher who unravels the secrets of nature and religion."

The success which attended his first literary attempt, soon stimulated O'Leary to make further efforts. Conscious, as he could not but be, of his powers as a writer, he now began to exert himself in a wider field than that of controversy, and came forward as the champion of the political rights of his oppressed co-religionists.

The condition of the Roman Catholics of Ireland at this period was indeed deplorable. Since the accession of Queen Elizabeth, and the introduction into Ireland of the doctrines of the Reformation, each successive Government had vied with its predecessor in cruelty and injustice towards them. The promoters of Protestantism shewed themselves to be of the number of those, who

“Call fire, and sword, and desolation

A godly, thorough reformation.”

Every means which the hellish ingenuity of persecution could devise to eradicate the faith was resorted to, but in vain. Confiscation, imprisonment, and death seemed only to increase the number of fresh victims; and the more rigorous the punishment inflicted, the severer the penalties enacted, the more tenaciously did the Catholics of Ireland cling to the religion of their forefathers. We have the authority of Dr. Johnson for the assertion, that there is no instance, even in the ten persecutions of the early Christians by the Pagans, equal to the severity which the Protestants of Ireland have exercised against the Catholics.

While the two last Stuarts were on the throne, the Catholics were indeed comparatively unmolested; and history records the desperate fidelity with which they adhered to the adverse fortunes of James the Second. On the accession of William the Third, they began to entertain hopes that a more merciful and a more equitable policy would be adopted towards them: as by the first article of the Treaty of Limerick they were guaranteed the enjoyment of those rights of which they had not yet been deprived; and the King bound himself to use every exertion to procure them still further immunity from disturbance on account of their religion. But these hopes were speedily and cruelly dispelled. The Treaty of Limerick was disregarded; in direct violation of its provisions a series of the most galling measures were enacted against them; and then, as if in mockery, the legislature passed an act* to confirm the articles of that Treaty.

During the ensuing reign their sufferings were still more severe; as a numerous succession of acts were promulgated, one exceeding the other in violence, until they attained such a climax of cruelty, as to compel the English parliament—which had itself shown but little tenderness towards Catho-

* 9 Wm. III. c 2.

lies—to refuse the ratification of such barbarous enactments. Plowden, in his valuable history of Ireland, informs us that “during the whole reign of Queen Anne, the penal laws were executed with unabating severity upon the Irish Catholics, without any other visible cause or charge alleged than their mere profession of the Roman Catholic religion. It was the current though unwise policy of the day to consider them as enemies to the crown and government of the realm. They were styled the ‘common enemy’ by the House of Commons in an address presented to the Lord Lieutenant, the Earl of Pembroke, in 1707, and some years later the lords justices, in their speech to the Commons, said, ‘we must recommend to you in the present conjuncture, such unanimity in your resolutions as may once more put an end to all other distinctions in Ireland, but that of Protestant and Papist.’ In fact, the usual parliamentary phrase for the body of Irish Catholics was, the ‘common enemy?’”

At the time of the death of the good! Queen Anne, the penal laws, elaborated by more than a century of malignant ingenuity, formed a code of unequalled and terrible barbarity, so as well to deserve the fearful discription thus given of it, by the illustrious Burke. “It had a vicious perfection—it was a complete system—full of coherence and consistency; well digested and well disposed in all its parts. It was a machine of wise and elaborate contrivance, and as well fitted for the oppression, impoverishment, and degradation of a people, and the debasement in them of human nature itself, as ever proceeded from the perverted ingenuity of man.”* This code had now attained such a “vicious perfection,” that the very existence of a Roman Catholic was ignored by the laws; it being gravely laid down by one of the judges from the bench, that the laws did not presume a papist to exist in the kingdom, nor could they breathe without the connivance of the law. And yet, by a cruel contradiction, Catholics, whose existence was ignored, were liable to a number of grievous and most galling penalties for the exercise of that religion, which the law presumed not to exist. It was, however, against the ministers of the Catholic religion that the fiercest enactments were aimed: not merely were they proscribed by law, liable to transportation if found within the kingdom, and guilty of High-Treason if they returned after being transported, but rewards on a gra-

* Letter to an Irish Peer.

duated scale of sacrilege were offered to him who apprehended a Bishop, a Priest, or a Schoolmaster; while severe penalties were inflicted on those who were proved to have succoured or concealed a Roman Catholic clergyman. The laity fared but little better. Their lives, their liberties, and their property, depended upon the indulgence or the apathy of their Protestant neighbours. They were liable to be arrested on the mere suspicion of being Popish recusants. They were disabled from purchasing any but trifling interests in lands; if they inherited property from a Protestant relation, or he devised it by will to them, they were deprived of it, and the law gave it to the nearest heir who was of the statutable faith. They could not possess a valuable horse, and a Protestant on paying five guineas could deprive them of an animal worth perhaps one hundred. They were deprived of all the rights of citizens. Could not carry arms; were unable to hold a commission in the navy or army; or to fill any offices of trust or emolument in the state; and were also prevented from becoming barristers or solicitors. They could not serve on grand juries; might be peremptorily challenged in all trials in which any Protestant interests were at stake; while in cases of the iniquitous and harassing bills so frequently filed for the discovering of Popish trusts, none but known Protestants were allowed to try the issues. They were even incapacitated from voting at elections for Members of Parliament: a disability against which Burke thus inveighs—"The taking away a vote, is the taking away the shield which the subject has, not only against the oppression of power, but the worst of all oppressions, the persecution of private society and private meanness." And yet by a whimsical contrariety, they were liable to pay double towards raising the Militia;* and thus contributed double to the support of the state which had exhausted its power and ingenuity in devising measures against them.

Severe as was this system of political torture as applied to the Catholics of Ireland in their political capacity, it was mild when compared with the still more barbarous enactments, which, by an aggravation of cruelty, were directed against their dearest and most sacred affections; and assailed them in the most intimate relations of domestic life. They were prevented from educating their children as Catholics at home—for to teach the Popish religion was a transportable felony—and

* 2 Geo., I. c. 9, s. 14, and 18.

if they sent them to the Continent, there to be brought up in the cherished through persecuted faith, they were liable to forfeit all their property. A Catholic was also debarred from being the guardian of a child; nay more, the Chancellor had it in his power to deprive him of the custody of his own son, whom he could transfer to the care of the nearest Protestant relation to educate him in the tenets of the religion of the state. And Protestant writers are found to dilate on the cruelty of Ferdinand and Isabella towards the Moriscoes of Spain. Nor did the law stop here. It encouraged the faithless wife to betray her husband. For "if the wife of a Catholic declared herself a Protestant the law enabled her not only to compel her husband to give her a separate maintenance, but to transfer to her the custody and guardianship of all their children."* Having thus instigated adultery, the law with consistent wickedness held out a premium for undutiful children to rebel against their parents, for "if the eldest son of a Catholic father at any age, however young, declared himself a Protestant, he thereby made his father strict tenant for life, depriving him of all power to sell or dispose of his estate, and such Protestant son became entitled to the absolute dominion and ownership of the estate. And if the other children declared themselves Protestants they were entitled to maintenance out of the father's property, and at once escaped his control," while they could force him to declare upon oath the clear value of his real and personal estate."† It was to petition Parliament against the passing of these—as they have been well designated—*ferocious acts*, that the distinguished lawyer, Sir Theobald Butler, appeared on behalf of his suffering fellow-Catholics at the bar of the House of Commons on the 22nd of February, 1703, and there delivered that speech, which it is impossible to read even at the present day without being sensibly affected by the touching though manly simplicity which pervades the whole of it, and the pathetic yet indignant remonstrance which it contains against the unholy provisions of the contemplated enactments. "It is natural," exclaimed he, "for a father to love the child, but we all know that children are but too apt and subject, without any such liberty as this Bill gives, to slight and neglect their duty to their parents;

* 8 Anne, c. 3, s. 14, and see O'Connell's *Ireland and the Irish*, Vol. I., p. 11.

† 2 Anne, c. 5, and 8 Anne, c. 3, O'Connell's do. p. p. 11, and 12.

and surely such an act as this will not be an instrument of restraint, but rather encourage them more to it. It is but too common with the son, who has a prospect of an estate, when once he arrives at the age of one-and-twenty, to think the old father too long in the way between him and it, and how much more will he be subject to it, when by this act he shall have liberty before he comes to that age, to force my estate from me, without asking my leave, or being liable to account with me for it; or out of his share thereof to discharge a moiety of the debts, portions, or other incumbrances, with which the estate might have been charged before the passing of this act. Is not this against the laws of God and man? Against the rules of reason and justice by which all men ought to be governed? Is not this the only way in the world to make children become undutiful? and to bring the grey hairs of the parent to the grave with grief and tears? It would be hard from any man; but from a son, a child, the fruit of my body, whom I have nursed in my bosom, and tendered more dearly than my own life, to become my plunderer, to rob me of my estate, to take away my bread, is much more grievous than from any other, and enough to make the most flinty of hearts to bleed to think out. And yet this will be the case if this Bill passes into a law. For God's sake, gentlemen, consider if this be according to the golden rule of doing as you would be done unto." And when inveighing against the 28th clause of the Bill he says, "by this clause the Popish father is, under the penalty of £500, debarred from being the guardian to, or having the tuition or custody of, his own child or children; but if the child pretend to be a Protestant, though never so young, or incapable of judging of the principles of any religion, it shall be taken from its own father, and put into the hands of a Protestant relation for tuition, though never so great an enemy to the Popish parent, and who out of prejudice to me who am the Popish father, shall infuse into my child, not only such principles of religion, as are wholly inconsistent with my liking, but also against the duty which by the laws of God and nature is due from every child to its parents. And it shall not be in my power to remedy or question him for it; and yet I shall be obliged to pay for such education how pernicious soever. Nay if a legacy or estate fall to any of my children being minors. I that am the Popish father, shall not have liberty to take care of it, but it shall be put into the

hands of a stranger, and though I see it confounded before my face it shall not be in my power to prevent it. Is not this a hard case, gentlemen? I am sure you cannot but allow it to be a very hard case." But his reliance upon the justice of the cause which he advocated, his eloquent vindication of the rights of his Catholic fellow-subjects, and his indignant protest against the iniquitous measure under deliberation, were all in vain. They were contemptuously disregarded by a Parliament that had resolved to pay no attention to them; the Bill was hurried through both houses, and speedily became the law.

The above are but a few of the barbarous enactments by which a ferocious ascendancy had sought the eradication of a religion, which it hated with a hatred that can only be felt by one religious sect for the rival object of its hostility. Nor were these laws a mere dead letter; their enactments a brutum fulmen. Their execution was enforced by special clauses in each act inflicting heavy penalties, in the shape of fines and disabilities, on every magistrate who neglected to carry them out, as well as by large bribes and rewards offered to informers; while those who could inform, but did not, were made liable to the severest punishment. Nay, the legislature itself periodically, in solemn conclave, not merely advocated but commanded their rigorous enforcement. Thus we read that "During all Queen Anne's reign the inferior civil officers, by order of the government, were incessantly harassing the Catholics with oaths, imprisonments, and forfeitures, without any visible cause but hatred of their religious profession. In the year 1708, on the bare rumour of an intended invasion of Scotland by the Pretender, forty-one Roman Catholic noblemen and gentlemen were imprisoned in the Castle of Dublin, and when they were afterwards set at liberty the government was so sensible of the wrong done to them that it remitted their fees, amounting to £800. In 1705 the House of Commons passed a vote—'that all magistrates and other persons whatsoever who neglected or omitted to put the penal laws in due execution, were betrayers of the liberties of the kingdom.' And upon another occasion—'that the prosecuting and informing against Papists was an honorable service to the government.' Again in June, 1705, they resolved—'that the saying and hearing of Mass by persons who had not taken the Oath of Abjuration, tended to advance the interest of the Pretender; and that such judges and magistrates as wilfully neglected to make diligent inquiry into

and to discover such wicked practices, ought to be looked upon as enemies to her Majesty's government.' And many years later, in 1745, Lord Chesterfield, in his speech to both Houses of Parliament, declared, 'the measures that have hitherto been taken to prevent the growth of Popery, have, I hope, had some, and will still have a greater, effect; however, I leave it to your consideration whether nothing further can be done, either by new laws, or by the more effectual execution of those in being, to secure the nation against the greater number of Papists, whose speculative errors would only deserve pity if their pernicious influence upon civil society did not both require and authorise restraint.' **

But in spite of the malignant ingenuity thus continuously displayed by a persecuting government; in spite of the rigor with which the execution of the penal laws was enforced; and the persevering barbarity with which the Catholics were treated; the efforts of the Protestant ascendancy signally failed. The Catholics of Ireland, instead of diminishing, continued rapidly to increase.

"Thus captive Israel multiplied in chains."

In 1727 Primate Boulter writes to the Archbishop of Canterbury, that "there are probably in this kingdom five Papists at least to one Protestant;" and Arthur Young, several years later, thus moralizes on the effects which had resulted from the penal laws—"While property lay exposed to the practices of power, the great body of the people, who had been stripped of their all, were more enraged than converted; they adhered to the persuasion of their forefathers with the steadiest and most determined zeal; while the priests, actuated by the spirit of a thousand inducements, made proselytes among the common Protestants in defiance of every danger; and the great glaring fact yet remains, and is even admitted by the warmest advocates for the laws of discovery, that the established religion has not gained upon the Catholic in point of numbers, but, on the contrary, that the latter has been rather on the increase. As it is the great body of the common people that forms the strength of a country when willing subjects, and its weakness when ill-affected, this fact is a decision of the question. After seventy years' undisturbed operation, the system adopted in Queen Anne's reign has failed in this great aim, and meets at this

* Parnell's History of the Penal Laws.

day with a more numerous and equally determined body of Catholics than it had to oppose when first promulgated. It is no superficial view that I have taken of this matter in Ireland. I have attended the debates in Dublin upon these laws with my mind open to conviction, and an auditor for the mere purpose of information. I have conversed on the subject with most of the distinguished characters of the kingdom, and I cannot, after all, but declare that the scope, purport, and aim of these laws, as executed, are not against the Catholic religion, which increases under them, but against the industry and property of whosoever professes that religion. In vain has it been said, that consequence and power follow property, and that the attack is made in order to wound the doctrine through its property. If such was the intention I reply, that seventy years' experience proves the folly and inutility of it. Those laws have crushed all the industry and wrested most of the property from the Catholics; but the religion triumphs; it is thought to increase. Those who have handed about calculations to prove a decrease, admit on the face of them that it will require *four thousand years* to make converts of the whole, supposing the work to go on in future as it has in the past time. But the whole pretence is an affront to common sense, for it implies that you will lessen a religion by persecuting it; all history and experience condemn such a proposition. The system pursued in Ireland has had no other tendency but that of driving out of the kingdom all the personal wealth of the Catholics, and prohibiting their industry within it. We have seen that this conduct has not converted the people to the religion of government, and instead of adding to the internal security, it has endangered it; if, therefore, it does not add to the national prosperity, for what purpose but that of private tyranny could it have been embraced and persisted in?"

Despairing at length of ever destroying a faith, the immortal nature of which has been proved by centuries of unavailing efforts to uproot it; wearied of blood and of persecution; and, it may be, actuated by the nobler motives which an increased and an enlightened civilization had generated; the Protestants began somewhat to modify their previous policy. During the reign of George II. the Penal Laws were not enforced with the customary severity, and on the accession of George III. the Catholics were cheered with the prospect of a change in the conduct of the government towards them. Their professions

of loyalty and attachment were graciously received, and an answer returned to an address which they presented to the youthful sovereign.* It was not, however, until the year 1774, that the legislature were induced to show them so much favor as to pass an act by which they were enabled to testify their allegiance.†

Although this concession was received with gratitude by the majority of the Catholics of Ireland, a few of timid consciences stated some theological objections against the oath which the act required to be taken. Among these was Dr. De Burgo, the Catholic Bishop of Ossory, and the learned author of "*Hibernia Dominicana*." In a supplement to this work published in 1772, he noticed the form of an oath which was similar in many particulars to that now imposed, and he unreservedly condemned its clauses. Actuated by a strange infatuation, and apparently for the purpose of promulgating as extensively as possible his sentiments upon the important question then in agitation, he caused copies of his *Hibernia Dominicana* and its supplement, to be presented to some of the Protestant dignitaries, and to the University of Dublin, then, as it uniformly ever has been, the uncompromising opponent of any measure of indulgence to the Roman Catholics of Ireland. This ill-advised step was deeply deplored by many of the other

* On the accession of George II. in 1727, the Catholics had also presented an address of congratulation to the king, which was presented to the Lords Justices by Lord Delvin and several respectable Catholic gentlemen, but it was received with contemptuous silence and never even acknowledged.

† 13 & 14 Geo. III. c. 35. This act is said to have had this singular origin. The celebrated but eccentric Earl of Bristol, Bishop of Derry, whilst at dinner one day with the Professors of the Irish College in Toulouse, lamented the hard necessity which many of the ablest and best Irishmen were under of spending their lives abroad; adding, however, that he could not see why they should refuse allegiance to their native sovereign, but that until they renounced the opinions entertained by them, militating against the lives of their Protestant fellow-subjects, the safety of the throne and the obligations of an oath—alluding to the doctrines which the Catholics were calumniously said to hold—he could not countenance them at home. This observation gave rise to a conversation in which he was assured that his impressions were most erroneous, that the Catholics abhorred the doctrines imputed to them, and were willing to give every proof of allegiance which could be required. On his lordship's return to Ireland these statements were circulated by him among his political friends, and tended to facilitate the introduction of the act.

Catholic Bishops, and a provincial synod of the Munster prelates was held in July, 1775, when it was unanimously agreed, that the proposed oath of allegiance contained nothing that was contrary to the principles of the Roman Catholic religion. Nor did they stop here. They also unanimously expressed their dissent from the doctrine put forward by Dr. De Burgo in reference to the oath.

Although this declaration was transmitted to Rome, and submitted to the consideration of the Pope; who, on perusing it, and examining the proposed oath, with a translation of which he had been furnished, expressed his ardent hope "that the kindness of the legislature would shortly be further extended to his suffering children;" a party was still to be found, at the head of which was Dr. Carpenter the Roman Catholic Archbishop of Dublin, who from an excessive timidity of conscience, still entertained doubts as to the propriety of taking the oath. This conduct on the part of the Archbishop occasioned considerable uneasiness to the Munster prelates; and to aid them in their attempts to overcome the opposition thus unexpectedly raised, O'Leary produced a pamphlet entitled "Loyalty Asserted," in which he successfully vindicated the oath from the objections advanced against it.

In this pamphlet, the style of which is singularly clear and energetic, O'Leary examines the proposed oath article by article, investigates with unusual and almost startling boldness the doctrines of the Catholic Church regarding the allegiance due by subjects to their sovereign; repudiates with equal boldness the principles laid down by some of its doctors as to the dispensing power of the Pope; and after replying to the several objections which had been raised to some portions of the oath, establishes conclusively the perfect propriety with which it might be subscribed by every Catholic. It met with the greatest success; was most extensively circulated; called forth the acknowledgments of the friends of the government; was received with gratitude by the large body of Catholics; and what was still more gratifying, was the effect which it produced upon those who had been previously opposed to the taking of the oath; as we read that "in November, 1778, Dr. Carpenter at the head of seventy of his clergy and several hundred Roman Catholic laity, attended at the Court of King's Bench in Dublin, and took the oaths prescribed by the late act for the relief of the Roman Catholics of Ireland."*

* Dodsley's Annual Register, vol. 21, p. 208.

Among the many calumnies with which the Catholics of Ireland were uniformly assailed, no charge was so frequently and so unfoundedly brought against them, as that of disloyalty. In times of tranquillity they were, in the mere wantonness of insult, branded as traitors and rebels by their Protestant rulers, who, it may be, would have rejoiced had the conduct of the Catholics justified the charge, and thus afforded to their oppressors an excuse for increased persecution; no station, however elevated or sacred, shielded them from the base and unmerited imputation which even the legislature, in its public enactments, did not hesitate to allege against them. Thus we have one act which recites, "that whereas it is notoriously known that the late rebellions in this kingdom have been contrived, promoted, and carried on by Popish Archbishops, Bishops, Jesuits and other ecclesiastical persons of the Romish religion, and that the peace and safety of the kingdom was in danger from the number of the said archbishops, &c."* And another, which, to justify its nefarious and oppressive provisions, falsely states "that whereas Papists in this kingdom have always in a time of war with any Popish state or prince kept private intelligence with them and other enemies of this kingdom; by means whereof parts of the sea-coasts have been infested and often insulted by privateers chiefly manned by Irish Papists, who have robbed several of his Majesty's faithful subjects of all their substance by the contrivance of others, their Popish friends in this kingdom."†

So utterly unfounded and unwarranted were these imputations, that in the very teeth of the above solemn legislative lies, the rankest enemies of the Catholics were at times compelled to admit that their conduct was most exemplary, when other sections of the people manifested great disaffection. Lord Chesterfield, to whose intolerant speech to both Houses of Parliament at the opening of the session in 1745, we have before alluded, a little later did not hesitate to declare "that the Catholic priests co-operated with their Protestant brethren, to maintain order and tranquillity, their pastoral letters, public discourses from the pulpit, and private admonitions were equally directed to the service of the government." And Curry in his valuable history relates, that "in the year 1762, upon a debate

* 9 Wm. III., c. 1.

† 9 George II., c. 6.

in the House of Lords, Dr. Stone, who was then the Primate, in answer to some objections against the good faith and loyalty of the Catholics, which were revived with virulence on that occasion, declared publicly in the House of Lords, "that in the year 1747, after the rebellion was entirely suppressed, happening to be in England, he had an opportunity of perusing all the papers of the rebels and their correspondents, which were seized in the custody of Murray, the Pretender's secretary, and that after spending much time in examining them (not without someshare of the then common suspicion that there might be some private understanding and intercourse between them and the Irish Catholics), he could not discover the least trace, hint, or intimation of such intercourse or correspondence in them, or any of the letters, favouring or abetting, or having been so much as made acquainted with the designs or proceedings of those rebels; and what he said he wondered at most of all was, that in all his researches he had not met with any passage in any of those papers, from which he could infer that either their holy father the Pope, or any of his Cardinals, Bishops, or other dignitaries of that Church, directly or indirectly encouraged, aided, or approved of the commencing or carrying on of the rebellion."*

Even Swift, whose contemptuous and sneering allusions to the Catholics are, if possible, still more grating than the undisguised hatred of their more virulent opponents, does not hesitate to declare, "as to Popery, I cannot apprehend this kingdom to be in much danger from it. The estates of Papists are very few, crumbling into small parcels, and daily diminishing; their common people are sunk in poverty, ignorance, and cowardice, and are of as little consequence as women and children. Their nobility and gentry are at least one-half ruined, banished, or converted: they all soundly feel the smart of what they suffered in the last Irish war; some of them are already retired into foreign countries; others, as I am told, intend to follow them; and the rest, I believe, to a man, who still possess any lands, are absolutely determined never to hazard them again for the sake of establishing their superstition. And I cannot conceive how a sunk discarded party, who neither expect nor desire anything more than a quiet life, should under the names of Highflyers, Jacobites, and many other vile appellations,

* Vol. II. p. 281.

be charged so often in print, and at common tables, with endeavouring to introduce Popery and the Pretender: while the Papists abhor them above all other men, on account of severities against their priests in her late Majesty's reign, when the now disbanded reprobate party was in power. This I was convinced of some years ago by a long journey into the southern parts, where I had the curiosity to send for many priests of the parishes I passed through, and to my great satisfaction found them everywhere abounding in professions of loyalty to the late King George, for which they gave me the reasons above mentioned, at the same time complaining bitterly of the hardships they suffered under the Queen's last ministry. The Catholics were always defenders of monarchy as constituted in these kingdoms. It is well known that all the Catholics of these kingdoms, both priests and laity, are true Whigs in the best and most proper sense of the word, bearing as well in their hearts, as in their outward profession, an entire loyalty to the Royal House of Hanover, in the person and posterity of George the Second against the Pretender and all his adherents, to which they think themselves bound in gratitude, as well as conscience, by the lenity wherewith they have been treated since the death of Queen Anne, so different from what they suffered in the four last years of that Princess, during the administration of that wicked minister, the Earl of Oxford."*

An opportunity was now afforded to O'Leary, of which he at once availed himself, to vindicate his fellow-Catholics from the galling and unjust opprobrium under which they labored. The state of public affairs in 1779, was alarming to a degree. The war of Independence in America had literally drained England of her troops, while the combined fleets of Spain and France scoured the Channel unopposed; and rumours of an intended invasion of Ireland by a large French force added to the public terror. It was with the greatest anxiety, not un-mixed with fear, that the conduct of the Irish Catholics at this crisis was watched by the Government, who began to apprehend that the resentment which centuries of injustice and oppression were so strongly calculated to excite within their breasts, would now burst forth, and induce them to make use of the favourable opportunity now presented, to take vengeance

* Reasons for repealing the Test.

for the protracted wrongs they had endured. And at this period so formidable were the Catholics from their wealth and influence, and still more from their numbers, that had they been disaffected, the consequences might indeed have been fatal to England, embarrassed as she then was by the European and American wars in which she was engaged. In this emergency the Government was relieved by the noble conduct of the Roman Catholic Bishops and clergy of Ireland, all of whom came forward to impress upon their flocks the obligation of remaining tranquil and loyal. O'Leary also, whose influence with the people was now very great, addressed a short but spirited appeal to them, in which he, in a homely but practical manner, endeavoured to show them the wickedness and the folly of rebellion, with the miseries to which they would infallibly be exposed, should the French invasion succeed; while he clearly explained, and forcibly inculcated the sacred obligation of loyalty. This address produced the happiest results; it assuaged the feelings of just irritation, which existed in the minds of many, while it tended to quiet the apprehensions of the Government; and had the threatened invasion been effected, there can be but little doubt that the Catholics would have been found among the bravest and staunchest defenders of their country.

O'Leary's next appearance in public was as the antagonist of John Wesley. This celebrated man, who has done more to overthrow the Protestant religion in England than perhaps any of the innumerable sectaries who have at various epochs attacked its doctrines, was animated by a hatred to Catholics, which would appear strange in one who had so boldly claimed, and so unscrupulously exercised, the right to dissent from the Established Church, did not all the apostles of error present the same example of inconsistent hostility to truth. An association styled "the Protestant Association," had been formed in England by some popular but bigoted fanatics, with the avowed object of so intimidating the Government by acts of the most lawless violence, as to prevent it from extending any measures of relief to the Catholics. The far-famed Gordon riots were the natural results of such an unprincipled institution. In January, 1780, Wesley published a letter containing his version of the civil principles of Roman Catholics, to which he appended a defence of the Protestant Association; the aim of which was to show that no Government ought to tolerate Catholics, while all Protestants were called upon to unite in

carrying out the objects which the Association had in view. This production of Mr. Wesley contained more than the average amount of ignorance, distortion, and intolerance generally displayed by Protestant polemical writers when treating of Catholicity; and the spirit with which it was imbued and the measures it advocated, were such as would have satisfied the most virulent opponent of Popery in the days when the persecution it endured raged most severely. O'Leary lost no time in answering it, in a pamphlet which is perhaps one of the best of his many excellent tracts; and though we may not find in it much elegance of style, or purity of diction, still we cannot but admire the sound arguments, happy allusions, and dignified remonstrances, with which it is replete. He boldly but humorously repels the insinuations made by Wesley—whom he terms the reformer of the Reformation,—against the loyalty of the Catholics; adducing his own conduct at St. Maloes, to which we before alluded, as a proof of the conscientious conviction which he, in common with his fellow Catholics, entertained, that allegiance to the sovereign was one of the most sacred obligations of the subject. He reproaches his antagonist with endeavouring to increase the religious dissensions, unhappily but too extensively prevalent, instead of seeking to allay them, and produce harmony and concord amongst the members of all denominations. He corrects the erroneous interpretations and misconceptions of Mr. Wesley, regarding the proceedings of the Council of Constance, and indignantly inveighs against the injustice of making Catholics answerable for any misconduct or mistake on the part of their predecessors, while he shows how forcibly they can retaliate and lay to the charge of the Protestants the innumerable errors and excesses of the various heresiarchs and sectaries that have at various epochs agitated the Church. He vindicates the Sacrament of Penance from the absurd allegations made against it, explains its nature and efficacy, and shows that so far from the power of the Pope over Catholics being unlimited, the founders of new sects have ever arrogated to themselves greater authority than any of the pontiffs have ever ventured to assume: for while the doctrines of the Roman Catholic religion cannot be in the least altered by any Pope, the founder of the most insignificant sect can at his pleasure vary, increase, or diminish the tenets of his followers. He ridicules the doctrine of Papal dispensations, which the Protestants will insist

on laying to the charge of Catholics : shows that were it really held, all kings of whatever religion they might be, should desire to have none but Protestant subjects, as on their allegiance alone could they depend ; and proves still more strongly its absurdity by the conduct of the oppressed Catholics of Ireland, who had for centuries submitted to the most galling and violent persecution, when all that was requisite to free them from their sufferings, and place them on a level with their most favoured fellow-subjects, was to subscribe the oath of abjuration, with the obligation of observing which, they could immediately afterwards, by the supposed tenet, be dispensed.

The foregoing controversy was not attended with any display of those acrimonious feelings which are but too generally the concomitants of polemical disputes. O'Leary and Wesley, sometime afterwards, met at the house of a mutual friend ; each was pleased with the other, and they parted with expressions of kindness and regret. At this period also, O'Leary made the acquaintance of Howard the philanthropist, who, in one of his many benevolent missions, visited Cork for the purpose of inspecting the prisons of that city, and was introduced to O'Leary, who was a zealous and active member of a society which had been for some time in existence, for the relief and discharge of persons confined for small debts. In him, Howard found a kindred spirit, a heart as benevolent as his own, and in after years he used to boast of possessing the friendship and esteem of the Irish friar.

A period had now arrived which, from the state of public opinion, appeared to the friends of religious liberty to be favorable for the attainment of a still more extended measure of toleration. O'Leary was so well known as its ardent and indefatigable advocate, and his fame as a successful pamphleteer was so extensively diffused, that an application was made to him again to appear in public as the champion of freedom of conscience. Nothing loth, he obeyed the call. It was a subject upon which he had long felt deeply, and profoundly meditated. Thoroughly imbued, as he was, with the benevolent spirit of the Gospel, and having a painful and practical experience of the miseries of persecution, he both as a minister of religion and an oppressed victim, indignantly, raised his voice against the iniquities of a system from which so many woes have at all times emanated. It is indeed a painful and melancholy reflection that the two greatest boons bestowed by Heaven on

man—Religion and Liberty—have been the most perverted. Under the mask of the one, bigotry and fanaticism have deluged the universe with the blood of tortured human beings ; while anarchy and licentiousness, in the name of the other, have appalled mankind by their hideous enormities. And is it not strange that centuries of woful experience should still be insufficient to teach to nations that wisdom and that lenity which the wise and the good have in all ages, but unheededly, attempted to inculcate ? Of what avail have been the racks, the tortures, the imprisonments, which every sect has successively undergone ? Only to harden its votaries in their obstinacy, to add a principle of honor to religious conviction : until

“ Proud of persecution’s rage,
Some in fire, and some in field,
Their belief with blood have sealed,
Dying as their fathers died
For the God their foes denied.”

The Romans of old are represented as worshipping in private the Penates of their respective families, while they all joined in the public sacrifices offered to the tutelary deities of the state ; would that, imitating them, differences in religious opinions were made by us, our household Gods, cherished at home, but not obtruded on the public and universal adoration of a common Creator. Much has undoubtedly been done of late years ; but more—much more—remains to be done. The sanguinary enactments which once disgraced our statute-books, have ceased to pollute their pages ; and Protestant and Catholic meet, no longer as oppressor and oppressed, but as equals. Are there not, however, still some civil disabilities to which Catholics are unjustly subject ; and why should they be allowed to remain. Do they not complain, and with reason, of several inequitable legal provisions, which affect them in the disposal of their property, and why are not these repealed ? It not all that they hold most sacred in their religion exposed periodically to the blasphemous ridicule of ignorant and bigoted fanaticism ; and why is the continuance of such disgraceful exhibitions permitted ? Has the spirit of toleration, however loudly professed, however ostentatiously exhibited, penetrated, to the inner hearts of those who once dominated over the Irish Papists ? Do they not by a species of mental reservation, in spite of their loud declarations to the contrary, feel a dislike bordering on hatred, a jealousy akin to rage. of those Catholics who attain to any of the political or social dignities

from a participation in which they were so long and so pertinaciously excluded? And how rarely, how very rarely, do members of the different communions indulge in that genuine, unreserved interchange of feelings and ideas, which is the sweetest of the many pleasures of friendship? We very much fear that though the outworks of intolerance have long been laid low; its citadel yet stands, not certainly in the pride of its once formidable strength, but still retaining much of its former menace, and not unwilling, had it the opportunity, to exercise some of its previous force.

In no country, at least of modern Europe, have the horrors of persecution been felt with greater severity than in Ireland; and in none have its evil consequences been more continuously and more perniciously felt. Many of our best and greatest men have at times raised their voices in indignant reprobation of a system the injustice of which was equalled only by its impolicy. To few, however, of these generous advocates of Toleration—we had almost said to none—is a deeper debt of gratitude due than to O'Leary. His essay on Toleration, containing as it does, a concise epitome of the many unanswerable arguments in favor of religious freedom; and shewing briefly but conclusively the folly and the wickedness of seeking to control the minds of men, is a masterpiece, and we much regret that our space will not permit us to do more than thus allude to it. We recommend, however, the perusal of this admirable treatise to all who can take pleasure in the forcible, yet not intemperate enunciation of the grand principles of benevolence and of truth; and in the indignant repudiation of injustice and oppression; couched in language, bold, nervous, and expressive; and bearing the unmistakable impress of the genuine feeling of honest conviction. His biographer informs us that "this essay had a circulation almost unequalled at the time in Ireland, and was the means of extending the author's reputation as a philanthropist, in a degree that was highly valuable to his religion, and creditable to himself. One pleasing consequence of its publication was his being elected a member of the Monks of St. Patrick.*

* The Monks of St. Patrick, were formed in the year 1779 under the auspices of Lord Avonmore into a patriotic society, which had far higher objects in view than the mere conviviality with which its name is usually associated. It was composed of the ablest and most distinguished men of the day, and formed a collection of the wit, genius and public virtue of the country. The names of many of its members will be for ever remembered by Ireland with gratitude and pride, as of those who sought to give her a constitution and raise her from her state of subjection and dependence.

Honors not undeserved continued to be heaped upon him. The Irish Brigade, a distinguished body of Volunteers, appointed him their honorary Chaplain; he was received with unusual marks of respect by the National Convention; while the most influential of the Irish patriots vied with each other in eulogizing and honoring the poor Capuchin friar.

Everything seemed to promise the speedy realization of the brightest hopes in which the most ardent votaries of religious freedom had indulged. The excitement caused by the rapid and unexampled success of the national movement in favor of legislative independence, had diffused throughout the country a feeling of unbounded and universal exultation, while it had in a corresponding degree excited the alarm of the Government, by the prevalence of what appeared to be the organised disaffection of the Protestants. In this emergency it looked for safety to the well proved loyalty of the Catholics, and began to hold out to them the prospect of extended toleration and immunities. On finding, however, that its apprehensions were unfounded, acting with its usual duplicity, it soon relapsed into its former apathy. Some indulgences were it is true, extended to the Catholics, but the anticipated measure was never attempted to be introduced. This, it is but fair to say, was partly the consequence of the Catholics themselves. They were then, as they have ever been, a jealous and a disunited body. Dissensions designedly sown amongst them by the Government, were fomented by themselves, and from being an object of dread, they speedily became one of contempt. So has it ever been. The disunion which so constantly and so shamefully prevailed amongst the Catholics of Ireland, has always occasioned them a protracted and difficult struggle in the attainment of the simplest measure of justice; which, had they been united, would have been procured with ease and celerity. What does the history, even of the Catholic Association disclose, but a series of the same petty and ignoble squabbles, that were repeated later on a different stage during the Repeal Association; and which prevail in equal, if not greater force, at the present day, amongst the members of the Tenant League. As in political so in social life. Jealousy of their successful brethren and a mean subserviency to fashionable Protestants, are but too frequently the characteristics of the Roman Catholics of Ireland.

In the year 1785 and 1786 one of those lawless associa-

tions, which figure so frequently in the annals of our distracted country, and which unfortunately still continue to be its bane, was formed in Cork; and occasioned several serious disturbances by the nightly assemblage of armed mobs, calling themselves White-boys, and under a leader who assumed the name of Capt. Right. The exorbitant rise which had been made in their rents; and the rapacity with which the Proctors enforced the payment of tithes—always the fruitful source of agrarian outrages in Ireland, and which pressed then with intolerable severity upon the impoverished people—had driven the peasantry to desperation; and in their madness, they sought, by acts of violence, to abolish the exactions under which they groaned. They gradually increased in their demands. Not content with denouncing the payment of rent and taxes, they endeavoured by the forcible imposition of a regular scale of charges, to diminish the wretched stipend which the Catholic clergy derived from the offerings of their flocks. They soon proceeded to acts of violence; tithe-proctors and clergymen were attacked, and their houses broken into; Protestant churches were forcibly entered, while some of the Catholic chapels were shut up, and no one permitted to approach them. The deluded people being instigated to the perpetration of these outrages by their leaders, who wished to make use of them in the execution of their political designs. O'Leary, whose exertions had been so successful in 1779, was entreated to use his influence with the misguided peasants, and to endeavour to put a stop to their violence. He accordingly published three short but spirited addresses to the White-boys, in which he familiarly but forcibly demonstrated the folly, the illegality, and the criminality of their conduct; and strongly urged upon them the necessity of submitting with patience to those evils which they had no legal means of redressing; while he condemned in unmeasured terms the many acts of violence and sacrilege which they had committed; and enlarged on the sacred obligation they were under of supporting their own clergy. His exertions were not confined to the publication of the above addresses. At the request of some of the local magistrates, he accompanied them to different parts of the county, and exhorted the misguided people to return to their peaceable avocations, and leave the illegal and dangerous association of which they had been enrolled members. Thanks to him, and to the indefatigable exertions made by the

Catholic bishops and clergy to assist the efforts of the civil and military authorities, the insurrection was happily suppressed, before it had occasioned the dreadful disasters which were at one time apprehended from it.

No sooner, however, had its suppression been effected, than the Protestant clergy, who had been in the greatest alarm in consequence of the outcry raised against them and their tithes, came forward in defence of that ecclesiastical establishment which, despite the denunciations of the wisest politicians, and the execrations of the vast majority of the Irish people, still continues an incubus upon the country, paralysing every effort to improve its condition, and perpetuating the ill-feeling and dissension which have ever been its bane. They were led on by Dr. Duigenan of intolerant notoriety; who, under the signature of Theophilus, published a pamphlet which was an exact reflex of his own distempered mind. In it he made a most unmerited attack upon Father O'Leary; grossly misrepresented his motives, distorted his acts, and commented on his whole conduct in a style which was at once most disrespectful to him, and injurious to the interests of the Catholic body. Its literary merits, however, were but small; and it would in all probability have quickly sunk into merited oblivion, had it not acquired authority by the sanction given to its misstatements by Dr. Woodward the Protestant Bishop of Cloyne. This prelate, in a work which he published at this time, entitled "Present State of the Church of Ireland," indulged in the most unwarranted and severe reflections on the Catholic prelacy and their principles, while he countenanced the calumnious and offensive attacks which Duigenan had made upon O'Leary. In the recent riots of the White-boys—whom he proclaimed to be "a Popish banditti spirited up by agitating friars and Romish missionaries sent hither on purpose to sow sedition"—he affected to discover a concerted system for the overthrow of the established Church, and the extinction of the Protestant religion in the kingdom: and he did not hesitate to impute the most criminal designs to the Catholics, whose principles he distorted with the most unscrupulous virulence. In alluding to O'Leary's addresses he declared that they tended to sow sedition, "and if such were his design they were most artfully contrived to produce that effect." The appearance of Dr. Woodward's pamphlet produced a profound and painful impression; and excited amongst the Catholics

no small degree of alarm and dismay; as it sought to affix anew upon them the oft-repeated and oft-refuted charges of disloyalty and sedition.

A correspondence ensued between Dr. Woodward and Dr. James Butler the Roman Catholic Archbishop of Cashel, and was followed by the publication by the latter of a justification of the Roman Catholic religion, in which the charges brought against it by Dr. Woodward were refuted. In the course of this controversy O'Leary's name was so frequently introduced, and his writings were so severely and so undeservedly censured, that he was, in self defence, compelled to appear once more in print, to free himself from the odious calumnies with which he was assailed.

Accordingly he soon produced a long and elaborate defence of his conduct during the disturbances in Cork; in which he gave a clear and detailed history of the whole transaction, and boldly and successfully repelled the offensive charges which Duigenan had first brought against him, and which had been reproduced by Dr. Woodward. He then entered at considerable length on a refutation of the arguments advanced by the Bishop against the principles of Catholicity; and concluded by humorously alluding to several absurdities which the pamphlet contained. This production cannot of course be read at the present day, with any of that interest which it excited at its first appearance in 1787; but it will well repay the labor of perusal, as the manly and powerful answer of a high-minded and much maligned man to the unjust calumnies which had been heaped upon him. It has been described as "a masterpiece of wit, argument, delicate irony, and admirable writing; and was not less remarkable for the rapidity with which it was written (in less than eight hours) than for the pointed animadversion which pervaded the whole."* Though we do not assent to all that this friendly critic has said in its praise, we gladly admit its many claims to our admiration. In this defence occurs the far-famed retort of O'Leary, to Dr. Woodward, who objected to the Catholic doctrine of Purgatory. "However clamorous a mitred divine may be about a Popish Purgatory, he may perhaps go further, and speed worse."

Though his defence was admitted to be complete, and was sought for and read with the utmost avidity and delight, it at

* Gentleman's Magazine, for Jan. 1802.

the same time exposed O'Leary to considerable trouble and annoyance. He was attacked on all sides with the utmost violence and acrimony. In one of the debates on Mr. Grattan's motion for a commutation of tithes, Mr. Toler (subsequently Lord Norbury) spoke of his defence in terms of such bitterness and warmth as to draw from Curran the following tribute to O'Leary's worth and character":—"Mr. O'Leary is, to my knowledge, a man of the most innocent and amiable simplicity of manners in private life. The reflection of twenty years in a cloister has severely regulated his passions, and deeply informed his understanding. As to his talents, they are public, and I believe his right reverend opponent has found himself overmatched by him as a controversialist. In this instance, it was just he should feel his superiority;—it was the superiority, not of genius only, but of truth—of the merits of the respective causes. It was the superiority of defence over aggression. It was the victory of a man, seeing the miseries of his country like a philosopher and a tolerating Christian, and lamenting them like a fellow-subject, obtained over an adversary who was unfortunately led away from his natural gentleness and candour to see these same miseries through a dark and fallacious medium."

Nor was it merely by his opponents that he was assailed. One, who like O'Leary, had always been the apostle of peace, and the uncompromising advocate of loyalty, was unsuited for the times which were now unhappily approaching; when dissensions were to be fomented, discontents aggravated, and sedition diffused by those, who in the spread of republican agitation, sought for that national regeneration, which in their Utopian theories, they looked upon not merely as feasible, but as easily to be effected. Even on previous occasions, though his services had been gratefully acknowledged by the large body of the Catholics of Ireland, some of them had regarded him with a species of jealous suspicion. This feeling was now artfully fomented, long-forgotten calumnies were revived; his motives were purposely misconstrued, his actions misrepresented, while he himself was made the object of low ridicule and caricature. Naturally of a vehement temper, and feelings morbidly acute; and with an imagination which had a tendency to exaggerate difficulties, and anticipate misfortune, the unhappy circumstances of the country, and the ingratitude displayed towards himself, produced the most painful impression

upon him. Despairing of being able to effect any good, and disgusted at the treatment he had experienced, he willingly agreed to leave a country, a further residence in which he found to be disagreeable, and from which he apprehended that peace had fled for ever.

He proceeded to London in 1789, and was soon after appointed as chaplain to the Spanish Embassy; having as his colleague, Dr. Hussey, afterward Bishop of Waterford.* His arrival in London was hailed with delight by his countrymen who were residing in the metropolis, all of whom hastened to testify their esteem of his character, and their gratitude for his exertions in favor of religion and liberty. With Edmund Burke he soon became intimate, and was by him introduced to some members of the Royal Family, who were most favorably impressed by his simple yet dignified manner, set off as it was by his wit and pleasantry. The ill-feeling, however, which had assailed him in Ireland pursued him to London, and he

* Thomas Hussey was a member of an old and respectable Irish family, and was educated in the University of Salamanca. His early wish was to become a Trappist, but his professors struck with his ability, induced the Pope to command him to devote himself to the active duties of a missionary. After his ordination he returned to London, and officiated for several years as first chaplain to the Spanish Embassy. As a preacher he was much admired, and was very effective and successful. During his residence in London he was intimate with Lord Chatham, Mr. Pitt, Mr. Fox, Mr. Burke, and was, during many years, the bosom friend of Dr. Johnson. On one occasion George III. accidentally made his acquaintance, and was so impressed by his manner, person, and conversation, that he insisted on his accompanying Mr. Cumberland whom the British Government sent to Spain on a secret mission, during the American war. At Madrid he was shewn the greatest marks of respect and admiration; and on his return home was thanked by the Government. To Dr. Hussey is, in great measure, due the establishment of Maynooth, of which he was the first president. In 1797 he was consecrated Bishop of Waterford, and soon after his elevation he published a pastoral, which, at the time, excited considerable animadversion, and gave great offence to the Government, as it treated of some topics in a tone which was not then deemed respectful. In 1802, Dr. Hussey paid a visit to Paris, and was associated with Cardinal Gonsalvi and the Archbishop of Corinth, in the arrangement of the details of the Concordat. In this affair his talents and his prudence were eminently displayed, and excited the admiration of Bonaparte himself, who was afterwards heard to speak of Dr. Hussey in terms of respect. In July, 1803, while bathing at Tramore he was seized with an apoplectic fit which soon terminated his life at an advanced age.

had not been long there, when he had to publish his denial of a most annoying report, which had some years previously been maliciously circulated, and was again revived, that he had changed his religion, and embraced the doctrines of the Protestant church. In this letter he alluded in terms of severe but touching reproach to the recantation of Lord Dunboyne, which had recently scandalized and afflicted the Catholics of the kingdom.*

During the latter year of his residence in London, O'Leary officiated at St. Patrick's Chapel, Sutton-street, Soho-square; and his labours in instructing and relieving the ignorant and indigent Irish, who composed in great measure his congregation; were most indefatigable, and were attended with the happiest results. His sermons were universally admired, and crowds of all classes flocked to his chapel to hear him preach.

His long residence in France, the friends he had there made, and the pleasant associations connected with the many happy years he had spent at St. Maloes, had inspired O'Leary with a feeling of warm attachment to the country. This feeling was

* John Butler, who subsequently became the twelfth Lord Dunboyne, entered the church at an early age; but in consequence of the loss of an eye, his ordination was postponed until this canonical impediment was dispensed with at Rome. On a vacancy occurring in the see of Oork, he was appointed Bishop of that diocese, in which capacity he acted for twenty-three years. His brother and his nephew having both died without issue, he succeeded to the title of Dunboyne; and being the last remaining scion of that distinguished family, his pride of birth, with which he had always been deeply imbued, led him to apply to the Pope for a dispensation from his vows, and permission to marry, in order to perpetuate the family. This unheard-of request was of course peremptorily refused by the Pope. The unhappy nobleman, however, carried away by his pride, persisted in his resolution, and though far advanced in years, was married in Clonmel to a young lady, a relative of his own, named Butler. When this painful intelligence reached the Pope, he addressed a letter of stern yet dignified rebuke to him, in which he most impressively remonstrated with him on the heinousness of his conduct. It was, however, unheeded by the infatuated man, and, though after his apostacy, he studiously avoided officiating at any religious ceremony, it was not until the near approach of death that he was reconciled to the church he had so shamefully betrayed. He expressed the deepest repentance for the scandal he had occasioned, and devised a considerable portion of his property to the college of Maynooth. He died at an advanced age, and the object he had had in view in taking the step by which he had deserted the church, was not fulfilled, as he did not leave any children.

increased by his respect for the clergy, his innate love of monarchy, and a sentiment of regard and affection for the old nobility of France. All these feelings combined to inspire him with a profound horror of the Revolution, which had so recently affrighted Europe by its enormities; and his exertions were unceasing in endeavouring to alleviate the sufferings and privations to which the emigrants, and more especially the clergy, who had been compelled to fly their country and take refuge in England, were exposed, when in their friendless and destitute condition they found themselves in a strange land.

O'Leary enjoyed, during the latter years of his life, a pension of £200 a-year from the Irish government. Mr. Charles Butler, in his "Memoirs of the Catholics", states that this pension was awarded to him "for his services in tranquillizing the spirit of lawlessness and outrage which had shown itself in many parts of Ireland, but fearful of his ascendancy over the Irish peasantry, the government annexed a condition that he should reside in England." This statement, however, is controverted by Dr. England, who, in his "Life of O'Leary," informs us, that during his visit to Dublin, in 1782, he was waited on by a gentleman, who, on the part of the Government, acknowledged the great good which his writings had produced, and intimated a wish that he would publish a defence of the measure upon which the administration were then engaged. This, O'Leary peremptorily refused to do: and when it was hinted that his silence would be agreeable to ministers, he replied with warmth, "that he never would be silent whilst his exertions could be of the least service to his country or his religion." He was then informed that a pension of £150 a-year was to be offered to him, without any condition in the least repugnant to his feelings as an Irishman or a Catholic being annexed to it. A change of ministry soon after occurred, and the promised pension was never paid. Other offers were also frequently made to O'Leary before he left Ireland by the ministry, to induce him to use his pen in defence of the various measures they were introducing, and on one occasion he was solicited to become a supporter of a government newspaper; with all of which requests he declined to comply. He had not, however, been residing long in London, when he was visited by Lord Sydney's secretary, who stated to him that the government, anxious to testify their approbation of the efforts he had uniformly made to promote

peace, good order, and unanimity amongst his countrymen, wished to offer him a pension, the amount of which he was himself to name. "The secretary took the liberty of asking a question, to which, at the same time, he did not insist on receiving an answer—whether in the event of any popular commotion in Ireland, as it was dreaded would be the case from the diffusion of American republican notions, O'Leary would advocate, as formerly, principles of loyalty and allegiance? To this question an unhesitating reply was given, confirmatory of the known inflexibility of O'Leary's political conduct: with regard to the pension he never had sought for one; though at a former period of his life, something of the kind had been hinted to him—in the present instance he was grateful to the government for their recollection of him, and suggested that the utmost of his claims would be answered by £100 a-year. He was afterwards officially informed that his presence in Ireland was necessary for the purpose of having the pension placed on the list of that country: he repaired thither, and after the necessary formalities were gone through, he became entitled to £200 per annum." No condition, as stated by Butler, requiring him to reside in England, was annexed, nor does there seem any occasion for believing that further interference in political concerns was interdicted to O'Leary. His independence of character was too great for him to have ever submitted to such a restraint, and we find that he subsequently took a very active part in the attempts which were made by the Catholics to procure from the legislature additional measures of relief. His last production being "An Address to the Lords Spiritual and Temporal," in which he warmly protested against the passing of a bill, which had been introduced in the House of Commons by Sir Harry Mildmay—the Chambers of that day—the provisions of which were aimed at insulting and annoying the religious ladies who were residing in convents, and in which he replied with all his former zeal and vigour to the oft-repeated calumnies which he had so frequently been called upon to refute.

In November 1779, O'Leary was selected to preach the funeral sermon at the obsequies performed in London to the memory of Pope Pius VI., whose virtues, sufferings, and death had made a deep impression on the minds of men of all religious persuasions. Nor were his literary labours yet ended. During his residence in London, two productions of his pen

were published. One was a memorial in behalf of the fathers of La Trappe, and the orphans committed to their care, in which he made a touching appeal to the charity of the Catholics of England, to assist the Trappists, who, compelled to fly from one country, and driven from another, were reduced to the utmost destitution. The other was, the "Address" to the Lords against Sir Henry Mildmay's projected bill, to which we have just referred.

The dreadful convulsion of Ireland in 1798, and the atrocities with which it was accompanied, occasioned O'Leary the deepest affliction. Indignant at the attempts which were made to ascribe to religious fanaticism, the distractions which the Government had excited by its flagrant misrule, if it did not actually instigate them in its nefarious policy; and at the insulting manner in which his name had been mentioned by Sir Richard Musgrave in his "History of the Irish Rebellions"; O'Leary formed the resolution of publishing a work which would contain, not merely a refutation of the calumnies which had been circulated against the Catholics, but would at the same time be an authentic history of the insurrection. For this purpose he made a collection of valuable manuscripts, and procured from his friends full and authentic details of all the transactions in various parts of Ireland; but unfortunately the progress of the disease, of which he soon after died, and the increasing infirmities of age, prevented him from carrying this resolution into effect. Finding himself unable to continue the work, and hearing that Mr. Plowden was engaged in a similar task, he transmitted to him all the materials he had been able to procure, and these were of the most material assistance to the latter in the preparation of his invaluable "Historical Review" which was soon after published.

Towards the end of 1801 O'Leary was suffering so severely from ill health, and despondency, that his physicians, having exhausted their skill in vain endeavours to alleviate his disease, as a last resource advised him to visit the South of France. Following their advice, he proceeded there, accompanied by a medical friend; but not experiencing the relief which had been anticipated, and immeasurably shocked at the then state of French society—so different from what it had been in his youth—a state which he characterized by querulously declaring "that there was not a gentleman in all France"—he resolved on returning to London. The violence of his disease, however,

was aggravated by a rough passage from France, and his death occurred, rather suddenly, the day after his return to London, the 8th of January, 1802. His body was interred in the graveyard attached to St. Pancras' church; and a monument was placed over it by Earl Moira, subsequently Marquis of Hastings, who wished thus to testify his respect for the character, and his admiration of the genius, of Arthur O'Leary.

It is impossible to form a proper estimate of O'Leary's character, and of the value of his services to Catholicity, without constantly bearing in mind the vast difference which happily exists between the time at which he first appeared, and the present day. To superficial minds it may seem, that too great a stress has been laid upon his exertions; too much attributed to his literary efforts; and too high a meed of admiration claimed for his many and varied productions. If we reflect however, on the state of public opinion in Ireland, when O'Leary first raised his voice in behalf of his proscribed religion; and on the social degradation to which the Catholics had been reduced by the long continued persecution they had endured; we may well feel surprise;—not so much at the results which attended his exertions—as at the courageous spirit which he manifested in venturing even to appeal to the justice, not to say the indulgence, of his Protestant fellow-subjects. At a time when the wish once expressed by an intolerant opponent was almost literally gratified, and a Catholic scarcely ventured to address a Protestant with his hat on; when—as some still living can recollect—a Catholic as he walked the street was immediately recognizable by his abject air and demeanour;* it required no inconsiderable amount of courage

* A curious instance of the effect produced on individuals, by the operation of the penal laws, is given by Wyse in his "Historical Sketch of the Catholic Association."—"The pastor of one of the largest parishes in one of the principal towns of Ireland, had never been seen in the public promenade. For forty years he had lived in the utmost seclusion from Protestant eyes, shielding himself from persecution under his silence and obscurity. But the influence of the persecution remained after the persecution itself had passed away. After the concessions of 1793, a friend induced him, for the first time, to visit the rest of the town. He appeared amongst his fellow citizens as an intruder, and shrunk back to his retreat the moment he was allowed. It was with difficulty, and on the most urgent occasions only, he could be prevailed on to quit it. Seldom did he appear on the walk afterwards, and it was always with the averted eyes and the faltering step of a slave."

for a poor Friar, to break through the habits of submissive deference, which lengthened suffering and degradation had induced; and boldly to demand, and ultimately wring from a hostile dominant party, privileges and immunities which his fellow Catholics had long sighed for in vain, and had almost regarded as unattainable. All this O'Leary did. He contended against and overcame difficulties, which, to one less ardent than he, would have appeared insuperable. He defended the principles of his religion, when attacked by virulent and ignorant assailants, with a boldness, only equalled by his ability; while he triumphantly freed them from the gross imputations sought to be cast upon them by interested and bigoted parties. He mainly contributed to the diffusion of milder and more equitable sentiments, which ultimately led to the repeal of many of the most galling provisions contained in the penal code. He manfully resisted the violent attempts made by his opponents to prevent any relaxation from being effected in the system of intolerance which they so vehemently supported, as necessary for the permanence of their religious and political supremacy: while he never, for one instant, yielded to the machinations, which some of his own party were led to form against him, through their jealousy of his successful efforts. And we do not indulge in the language of mere panegyric, but simply give utterance to the truth, when we affirm, that to few is a deeper debt of gratitude due, by the Roman Catholics of these kingdoms, than to Arthur O'Leary.

ART. IV.—MURDERERS AND HANGMEN.

1. *Vacation Thoughts on Capital Punishments.* By Charles Phillips, A.B., one of Her Majesty's Commissioners of the Court for the Relief of Insolvent Debtors, in London. Tenth Thousand. London: Cash. 1857
2. *Society for Promoting the Amendment of the Law. Three Papers on Capital Punishment.* By Edward Webster, Esq., A. H. Dymond, Esq., Henry Mayhew, Esq. Read at the General Meeting of the Society, July 7th, 1856. London: Sold at the Office of the Society, 3, Waterloo Place, Pall Mall.

The omniscient Ruler, looking down from above, searches every corner of this rolling world, and views with blended pity and contempt the efforts of the guilty man to cloak and conceal his crime. The black curtain of the night,—the solitude of the lonely waste—the thickest walls—and the securest doors, avail nothing for concealment from that glance, which searches, not alone the acts, but the inmost thoughts of men. The malefactor may exhaust his ingenuity to weave around him, as he fondly hopes, an impervious web of mystery;—in an instant, at the appointed hour, the curtain is rent away, and what the all-seeing glance has beheld from the first, the omnipotent arm now uncovers to the general gaze.

So wills the fierce avenging sprite,
Till blood for blood atones;
Aye, tho' he's buried in a cave,
And trodden down with stones,
And years have rotted off his flesh,
The world shall see his bones!

The range of human vision is, however, limited, and the war of human wits is waged on more equal ground. A solitary wretch contends against the united vigilance and penetration of a host of foes, and single-handed, frequently conquers in the fight. Uneducated and untrained in all save guilt, and in that, alas! too finished an adept, ignorant, brutal, and depraved,—he baffles every effort that refined intelligence, superior skill, and the strength of a righteous cause, can bring to bear against him, and succeeds in preserving from the grasp of the law, that existence which, in

the murderer has been an object of universal hatred and distrust. For every other offence a pitying sympathy may be found to lay the blame of the transgression on defective training or the allurements of evil companionship; but no hand will ever be extended to grasp the murderer's, red with his victim's blood, no door will be opened to shelter him from the pursuit of justice—by “breaking into the bloody house of life,” he has become an outlaw and an alien from the sympathy and fellowship of man, and has in an especial manner smote the dignity of God by taking that away, which, as it is the gift of Him alone, it is His sole prerogative to recall.

That men should have framed the severest laws for the punishment of this crime is therefore natural, and yet there appears a certain degree of inconsistency in making *Death*—in the infliction of which the enormity of the crime consists—the punishment of the crime itself. Every consideration which tends to aggravate the murderer's guilt, tends also, as it appears to us, to deprecate the taking of his life too.

If his victim have been summoned to his account, “with all his imperfections on his head,” the guilty wretch may also be cut off “in the blossom of his sin”; if repentance has been denied to the one, by the suddenness of his “taking off,” the shadow of coming death falling on the soul of the other may shroud it in a gloom never to be dissipated by the light of grace; but above all and before all, the supposed criminal may be *innocent*! Awful consideration. The victim writhing powerless in the strong grasp of the law, suffers ten thousand pangs, each ten thousand times worse than the bitterness of death itself, while he feels the cruel injustice of his fate enter like a barbed iron into his soul. How powerful must be the religious feeling that can soothe such pangs, that can make him pity rather than hate with the concentrated fury of a thousand demons his mistaken fellow-men, and how often in all circumstances, can such religious feelings be excited. What can be urged in favor or extenuation of a code of laws, that while it acknowledges in every page of its statute books, and provides against the fallibility of human judgment, inflicts upon a fellow creature a punishment wholly irreparable, while he is tried by laws and rules of evidence on every side liable to misconstruction and deception.

We have no desire to enter, in this portion of our paper, upon the question of the abolishment of capital punishment, or to disparage unfairly the force and cogency of the evidence on which convictions for capital crimes are usually based ; but we do desire to submit to the consideration of our readers, whether it would not be more becoming in men and finite beings, liable to error and deception, so to punish, that if thereafter it should appear that they had unjustly punished, they might have it left in their power to offer some compensation, however inadequate, to the victim of injustice. This, it is obvious, they can never do if they have deprived him of his life. Liberty may be taken and restored—wealth may be supplied—and even frail reputation may be repaired ; but the spring of life, once stopped, can never again be set flowing ; the light of life once extinguished can never be re-kindled ; the golden bowl once broken can never be re-united. Except where some one has actually beheld the deed, or the confession of the accused himself has established guilt, the evidence upon which a man is convicted of murder, must always be circumstantial. We shall, we hope, before we conclude this paper, show fully and satisfactorily, as indeed might be at once presumed, that purely circumstantial evidence frequently misleads, and as the murderer usually adopts the precaution of selecting a time and place free from observation for the commission of his crime, we know that the evidence in cases of murder is seldom positive and direct.

It follows, therefore, that there is always a certain degree of risk in convicting on evidence of this character, and we can certainly respect the scruples which would prevent a man from joining in a verdict of guilty on circumstantial evidence, when we remember that *death* is the punishment to follow. As it would be manifestly improper and impracticable to apportion different degrees of punishment for the same offence, according to the degree of positiveness of the evidence adduced, and as we have shown that in the strongest case of circumstantial evidence there is always great need of caution, we think that we have suggested a fair argument for the total abolition of capital punishment.

To argue on this subject is not, however, our immediate purpose, but rather to submit a view of the case, arising from a consideration of the history of circumstantial evidence,

and to what extent it has proved satisfactory, not only to the jury, by whom the cases were tried, but also to the dispassionate enquirer, reading these cases at the present day.

We have read many of these cases with a certain degree of awe, thinking of the strange designs of Providence, who thus appeared to warn man of his infirmity, and teach him to remember his own weakness and fallability, while sitting in judgment on another.

We do not think our laws are now open to the once just reproach of bearing a too sanguinary character. At one period, and that not distant, the number of executions for various crimes was positively frightful. We have now before us a volume of Gurney's Old Bailey Trials, in which such reports as the following occur in almost every page:—"Robert Stewart was indicted for feloniously assaulting John Batty in a field or open place near the king's highway, on the 16th of August last, and putting him in fear and danger of his life; and taking from his person, and against his will, one pair of plated shoe-buckles, value 6d.; one pair of leather shoes, value 2s.; one corkscrew, value 5d.; one horn comb, value 7d.; a piece of silver coin called sixpence; and a copper farthing, the property of the said John Batty." And after a statement of the evidence, the report concludes—"Guilty—sentence, DEATH;" the ominous word being printed in startling black-letter characters.

And again:—

"Tate Corbett was indicted for breaking and entering the dwelling-house of Henry Moses, about the hour of seven in the night, on the 10th of January, with intent to steal his goods, and burglariously stealing ten pair of leather shoes, value 30s., the property of the said Henry."

The evidence is that of one George Raby, who saw the prisoner drawing out his hand, with something in it, from the prosecutor's shop-window, through the broken glass, and who saw a man standing at a distance apparently watching the prisoner's movements.

The prisoner is found guilty, and sentenced to *death*, his age being stated as *twelve* years; and we are informed by a note, in the nature of a summary of the business done, at the end of the reports for the session, that the sentence was duly executed.

Modern reform has given our laws a more merciful cha-

racter, and we may reasonably hope, in course of time, to see punishment by death wholly abrogated. We are convinced that crime will decrease in the same ratio as the severity of the punishment ; and of this consequence there is evidence in all our old criminal reports. While looking from time to time into the various mysterious and startling cases, which are narrated in the judicial records of different countries, we have made, in our mind, a classification of these cases, which we now propose to adopt, and we divide them thus :—

1st. Cases in which convictions for murder have been had on circumstantial evidence, and in which, though confession was eventually made by the convict, there could exist no moral doubt of his guilt.

2nd. Cases in which the correctness of the conviction might be reasonably doubted, and has been doubted by various writers.

3rd. Cases in which it had been subsequently discovered that the conviction, though apparently had on the clearest grounds, was wrong. And we shall add to these a notice of a few of the most remarkable cases we have been able to meet with ; in which the discovery of the assassin (his guilt frequently confirmed by his own subsequent confession), was owing to apparently fortuitous, but really Providential, circumstances, and others in which no clue to the real perpetrator was ever had.

Before proceeding to the examination of these cases, we may be pardoned a few words on the nature and force of circumstantial evidence, as distinguished from positive.

The latter, as its name implies, is that evidence which is given by a witness who swears distinctly and positively to the commission of the act or crime forming the subject of the trial or investigation.

Circumstantial, or presumptive evidence, is that conclusion which the jury draw or construct and arrange for themselves from a number of circumstances or minor facts, sworn to by the various witnesses examined on the trial.

It has been of late years rather a favorite theme with members of the legal profession to enlarge upon the certainty of circumstantial evidence. Circumstances, they say, cannot lie, but it seems to be forgotten that the narration of circumstances is obtained from witnesses who may,

and, even if the circumstances be all truly stated, the application of these circumstances may be wholly false. We shall show, bye and bye, cases in which the circumstances seemed not only to warrant the presumption of the guilt of a particular individual, but even to exclude the possibility of his innocence, and yet in these cases the guilt of another, or at least the innocence of the accused, was subsequently established beyond possibility of doubt.

From *one* circumstance positively sworn to by a witness, the inference to be drawn is generally obvious, but the conclusion to be deduced from a long train of circumstances is not always equally plain; it then becomes a matter of judgment, an exercise of understanding, and the single circumstance will generally be deficient in weight, and consequently powerful to a limited extent; the chain of circumstances though of considerable weight, involves the serious question of applicability to the issue.

A good deal of what we think an ill-founded opinion of the cogency of circumstantial evidence, appears to have arisen from certain passages in the charge of Mr. Justice Buller on the occasion of the trial of Captain Donnellan, for the murder of Sir Theodosius Broughton, to which we shall presently more fully advert. His words are these: "A presumption which necessarily arises from circumstances is very often more convincing and more satisfactory than any other kind of evidence: it is not within the reach and compass of human abilities to invent a train of circumstances which shall be so connected together as to amount to a proof of guilt, without affording opportunities of contradicting a great part, if not all, of these circumstances."

This is hardly in accordance with the opinions of eminent jurists; Mascardus, no mean authority, has the following:—

"*Probatio per evidentiam rei omnibus est potentior, et inter omnes ejus generis major est illa, quæ fit per testes de visu,*" and again:—

"*Probatio per presumptiones et conjecturas dici non potest vera et propria probatio.*"

Menochius, who displays a certain degree of partiality for this kind of proof, says, nevertheless, "*Probatio seu fides quæ testibus fit, cæteris excellet.*"*

* Menochius de Præsumptionibus, L. 1. q. 1.

We do not deem it necessary to refer to other writers. The same opinion is expressed by every author into whose works we have looked, indeed none has maintained the absurd doctrine that circumstances cannot lie, or that conjectural proof is superior to ocular demonstration. In the first case which we shall introduce to the reader, the evidence adduced was purely circumstantial though no doubt of a powerful character. It was sufficient to ensure the conviction of the accused, and undoubtedly most justly; nevertheless the evidence of one unimpeachable or even respectable and disinterested witness who had beheld the act committed, would have been more convincing proof, than even a greater aggregation of circumstances merely indicating the truth.

On the 5th of April, 1806, one Richard Patch was placed on his trial before Chief Baron McDonald, for the murder of Mr. Isaac Blight, a ship-broker, carrying on business at Deptford. Mr. Garrow appeared for the prosecution, Mr. Best for the prisoner, and from the statement of the former it appeared that the previous relative position of these parties was as follows:—Patch had originally been a clerk to Blight, having been introduced to the notice of the latter, through the sister of Patch, who lived as domestic servant with Blight. From a clerk at £40 a year, Patch gradually rose to a confidential position with Blight, who becoming embarrassed in his circumstances, and failing to induce his creditors to accept of a proffered composition, adopted a course of proceeding too common under such circumstances, and which was certainly not consistent with strict honesty.

To protect his property he assigned the entire of it to Patch, in consideration of a sum of £2000, which it is needless to say was not paid or intended to be paid.

The object of this contrivance appears to have been gained, for in 1805 we find Blight entering into an agreement with Patch, by which the former was to retire wholly from participation in the business, reserving, however, to himself two-thirds of the property, Patch receiving the remaining one-third, for which he stipulated to pay a sum of £1250.

The payment of this money appears to have been the difficulty which formed the first temptation to the removal of Blight. By hook or by crook, Patch managed to pay down

£250, and for the remaining £1000 he gave to Blight his (Patch's) draft on a Mr. Goom, who, he alleged at the time, was indebted to him, the bill falling due upon the 16th of September.

On the 19th of September, (the dates form an important portion of the evidence) Blight, went to Margate to visit his wife, and was accompanied as far as Deptford by Patch, who had previously prevailed on the bankers into whose hands the draft on Goom had been paid to hold it over till the 20th inst.

Patch having, as we have stated, parted with Blight, and seen the latter on his road to Margate, remained at the house at Deptford with the servant maid, and about 8 o'clock in the evening of the same day sent her out to purchase oysters for his supper. On her return, after a few moments' absence, she found Patch in conversation with some persons outside the house, and relating to them the fact that during the servant's absence, and while sitting alone in the front parlor, a shot was fired at him through the window shutter. To his enquiries these persons replied that they had heard the shot fired but had seen no person, a circumstance which, owing to the peculiar position of the house, appeared strange, if the assassin had made any attempt to escape.

Though professing to feel great alarm at this attempt on his life, Patch refused the offer of one of these parties to procure a person to pass the rest of the night in the house with him, and altogether displayed an indifference by no means consistent with his expressions of fear.

The shutter having been examined, it appeared manifest, from the course of the bullet, that the shot must have been fired by a person who stood at the time close to the window.

The next day was the 20th of September, the day of the maturity of the draft on Goom. This day was Saturday, and upon it Patch writes to Mr. Blight to Margate detailing the occurrence of the firing of the shot, and requesting Blight's presence in town, but making no allusion whatever to the maturity of the bill.

Upon Monday the 23rd, in compliance with Patch's request, Mr. Blight came to town, and having with Patch bestowed some attention upon the alleged attempt on the life of the latter, then turned his thoughts upon the draft on Goom and expressed his great anxiety to learn if it

would be met. Having received from Patch a positive assurance that it would be paid, he despatched him to London with the strictest injunctions not to return without the money.

In the evening Patch returned, and how he managed to satisfy Mr. Blight's anxiety must remain a mystery till that day when mystery will cease. Certain it is that they appeared that evening upon friendly terms, and about 8 o'clock had tea together, and for the first time they sat together in the back parlor.

It will be borne in mind that it was in the front parlor that Patch was sitting when the alleged attempt on his life was made, and further that Mr. Blight hardly ever occupied the back parlor, and had determined quite suddenly to do so on the night in question.

Having finished tea Mr. Blight, who was probably tired after his journey, was dozing in his chair, and Patch left the parlor, and going into the kitchen requested the maid servant to give him a candle and the key of the counting house and of another part of the premises, as he had been taken suddenly ill.

Without the means of reference to a model of the house, such as was produced at the trial, it is not easy to understand with perfect distinctness the position of the premises.

It appears, however, that the door of the kitchen was on the opposite side of the hall to, and facing that of, the back parlor, that the house was surrounded in front by a small paved yard, and that in this yard, and closely adjoining the house, the counting house and out-offices were situated.

Having opened the street door Patch passed out on his way to the counting house, his entering which was announced to the servant maid by the slamming of a door, and immediately after she heard the report of a pistol, and her master staggered into the kitchen exclaiming that he was a dead man. Dreadfully alarmed, the servant ran to shut the street door, which she saw open, and she had hardly time to turn round from doing so when Patch knocked violently at it, and, being admitted, ran as he was, his dress in some disorder, to embrace and compassionate Blight.

The next evening the unfortunate man died and an inquest was held upon his body, and a verdict of wilful murder against person or persons unknown returned.

Patch's conduct during this enquiry; his cautions to witnesses as to the evidence they should give, and in particular his injunctions to Esther Kitchener, the maid servant, pointed suspicion at him, and awakened the vigilance of Mr. Graham, a Bow-street magistrate, at whose instance he was subsequently arrested on the charge.

Mrs. Blight having come to town after her husband's murder, and knowing the extreme anxiety which he had felt as to the payment of Goom's bill, questioned Patch upon the subject, and was assured by him that Goom had paid the amount. To account for the absence in Mr. Blight's books of any entry of the disposal of so large a sum as £1000, Patch was cruel enough to accuse the dead man, to his widow, of excessive gallantries and extravagance in which he had dissipated large sums, many of which he, Patch, had supplied.

The suspicion that had been, as we have said, directed towards Patch began to ripen into conviction of his guilt, and he was at length arrested and committed for trial, charged with the murder of his former benefactor and partner Blight; and certainly if there ever was a case in which circumstantial evidence irresistibly produced conviction of guilt it was this, in which too, by Providential interposition, the very precautions adopted by the culprit to avert suspicion fixed his guilt most unequivocally upon him.

The evidence adduced against him may be shortly stated thus.

The pretended attempt on his own life, made by an invisible assassin while the servant maid was absent; the shot evidently fired by a person close to the window, though no such person was seen to leave the premises by witnesses who passed the house at the time, both at the rear and in the front, and saw the flash of the pistol.

His indifference on the subject of this attempt, and his neglect of every means to detect the perpetrator.

His inviting Blight to come to town, without any allusion whatever to the matter of Goom's bill.

His leaving Blight on (what was proved at the trial to be) a pretence of illness, on the evening of the murder, precisely at the time at which the murder took place.

The fact, that situated as was the door of the back parlor, in which Blight was sitting when shot, none but a left-

handed person could have effectually fired the shot, and that Patch was left-handed.

Further that, considering the short interval that elapsed between the firing of the shot, the closing of the street door by the servant maid, and the knocking of Patch thereat, it was impossible for the assassin to have escaped through the street door (and in no other direction could he have escaped) without having in his flight encountered Patch.

Moreover, the servant maid deposed to the fact of Patch's invariably wearing boots, and that in the forenoon of the day of the murder he was so attired, but that in the afternoon he wore light stockings and shoes.

At his lodgings was found a pair of stockings, kept back from his usual laundry, folded as if clean, and unmarked on the legs by boots, and plainly having been worn with shoes, comparatively clean, save on the soles of the feet, which were crusted with a peculiar mud, similar in every respect to that which was on the ground in front of Mr. Blight's house.

When the urgent necessity which existed for peculiar lightness of tread, on the part of the perpetrator of this crime, is borne in mind, the significance of this circumstance will at once become apparent.

To those circumstances is to be added the evidence of Goom, the party upon whom Patch had drawn the bill for £1,000, and who deposed on the trial that he had never had any pecuniary transactions whatever with Patch, and had never authorized him to draw upon him for £1,000, or any other sum of money.

Motive for the crime, in Patch, was thus abundantly supplied, and his subsequent statements to the widow Blight, that the amount of this bill had been paid and disposed of, greatly strengthened this part of the case against him.

The entire evidence on the trial appears to have been most skilfully formed into a continuous and connected chain, and the whole prosecution conducted with an acuteness and vigilance, which we shall often look for in vain in more modern trials; and though, as we have always thought, and as every reasoning man must think, the direct and positive evidence of a single faith-worthy eye-witness of the commission of the crime, would have been, in every way, more satisfactory in clearing away any lurking doubt, the ver-

dict nevertheless appears to us most fully warranted by the evidence, and that verdict was—guilty.

Patch was executed upon the 8th of April, 1806, and though he refused to the last to confess his guilt, he did not venture expressly to deny it.

In this trial the great, and very frequently cardinal fact, of a powerful motive was clearly proved. Patch was surrounded by the coils of a difficulty, the gordian knot of which he sought to cut by taking away the life of Blight. In the next case to which we shall advert, the proofs do not appear to us quite so forcible, and in particular the motive of the accused for the commission of the crime is rather hinted at than proved—the conviction which followed was nevertheless perfectly just, and its justice was acknowledged by the culprit on the scaffold.

Upon the tenth of March, 1802, Thomas Radcliffe Crawley was placed at the bar of the court in Green-street, Dublin, charged with the wilful murder of Mary Mooney, in the house No. 9 Peter's Row, Dublin, upon the 17th of February, 1802. The presiding judges were Lord Norbury and Baron Smith. The crown was represented by Messrs. W. Ridgeway, John Hamilton, Jonas Green, and Solomon Speer, with Mr. G. Hepenstall as agent; the prisoner was defended by Messrs. J. P. Curran, L. M'Nally, C. K. Bushe, and I. B. Bethel, with Mr. Armstrong Fitzgerald as agent.

The principal facts of the case, and the circumstances under which the murder was committed, appear pretty fully from the evidence of the principal witness, the Rev. Joseph Elwood, and we shall therefore depart a little from the order observed at the trial, and give first some extracts from his testimony with a view of putting the reader in possession of the case.

The Rev. Joseph Elwood examined by Mr. Green.—

Q. Endeavour to speak as loud as you can that their Lordships and the Jury may hear you,—What is your profession?

A. I am a Clergyman of the Church of England.

Q. Do you recollect the 17th of last month?

A. I do, sir.

Q. Where do you lodge?

A. At No. 9, Peter's-row, I have lived there a considerable time.

Q. How long?

A. Three years wanting one month.

Q. Who was the lady that owned the house ?

A. Mrs. Davidson.

Q. Who was the servant woman that attended in that house.

A. Mary Mooney.

Q. Where about in Peter's-row is that house situated ?

A. No. 9, rather nearer Bishop-street than Peter-street,—I think so.

Q. Who lodged there at the time you lodged in it ?

A. Lately, sir ?

Q. Yes lately.

A. Mrs Davidson had informed me that Mr. Crawley had taken a lodging in the house about a month before the murder had been committed ; he came up to my room several times, and conversed with me about a week previous to the 17th of February.

Q. Did you hear anything from Crawley himself about his having taken a room ?

A. He told me that he had taken a room there.

Q. Do you recollect having any particular conversation with him ?

A. Yes I do.

Q. Have the goodness to state that conversation ?

A. In the course of that week Mr. Crawley asked me what property Mrs Davidson had, and I said that I supposed she had very little in the house, but that she had about £200, in the hands of a Mr. Waters, a coach-maker.

Q. Allow me to ask you on what day the murder was committed ?

A. On Wednesday the 17th

Q. Did he ask you any question relative to your own property ?

A. He did, and I told him I had 5 per cent debentures, and he asked me whether I received the interest when it became due, and he said that his father did not receive his for a year after it was due, and that I had much the better of him for his were only 3 and half per cents.

Q. Had you frequently seen him before ?

A. I had been before acquainted with his father.

Q. Do you see him in Court ?

A. I am very near-sighted, and cannot see him unless he is very near me.

Q. Get up and turn round and see if you perceive him ?

A. Yes, there he is,—that is certainly young Crawley.

Q. Did you see him the evening the murder was committed ?

A. I did—he come into my room three times on the evening of the 17th when I saw the dead bodies.

Q. Do you recollect the hour when he came into the house particularly ?

A. I believe it was between six and seven o'clock, but I can't be particular, and he told me that he had dined at the Rock, and that his share of the reckoning came to a guinea and an half.

Q. Did you see Mary Mooney that evening ?

A. I did—before it was quite dark she made my bed, and she had sufficient light to do it.

Q. Did he remain any time ?

A. He staid a very short time.

Q. Did he bid you good bye ?

A. He did not.

Q. You say you saw the Prisoner at the bar—did you see him before you saw Mary Mooney making your bed?

A. It was before that time.

Q. Was it in the back or front room?

A. In the front room to Peter's-row—I had on the first floor, a room, a bed-chamber, and closet.

LORD NORBURY—Up one pair of stairs?

A. Yes, my Lord.

Q. Did you hear any disturbance?

A. I did.

Q. What was it?

A. I can't be very particular as to the time, but I heard the servant woman give two violent shrieks and I opened the door, and heard some person give two very heavy moans.

Q. Are you positive it was the maid's shrieks?

A. I am, for I knew her voice, and heard a kind of rustling noise.

Q. Are you positive that you heard those moans and shrieks?

A. I am.

Q. Did you go down stairs?

A. I did not.

Q. Allow me to ask you why you did not go down?

A. I thought the mistress and maid had fallen out, for they were accustomed to do so, and I have heard her scream before on such an occasion though not so loud.

Q. And was that the reason you did not go down?

A. It was.

Q. You said he paid you three visits?

A. He did.

Q. Do you remember the second visit?

A. I do. It was about an hour after.

Q. Do you mean to say that it was an hour after you heard the shrieks that you saw Crawley again?

A. I do.

Q. Do you recollect Doctor what the Prisoner at the Bar did when he entered your room?

A. He walked to and fro seemingly agitated.

Q. Are you positive he came up stairs?

A. Yes.

Q. Upon what grounds do you say that?

A. I can't say positively whether he came from above or below, but I know he came into my room, and said, Doctor, will you give me a drink of water, and I said, I could not, for the girl had forgot to leave water in the kettle, in the back room, where it was usually left; he said, after some time, Doctor, will you lend me a guinea, and I said, I could not, for that I had hardly enough for myself to pay my lodgings, and to pay my curate—and he replied, I was thinking with myself, whether you should lend me a guinea, or I should lend you a shilling.

Q. Had you any money?

A. I had.

Q. Where was it?

A. In the closet—to put a stop to the conversation, I took up a book and pretended to read.

Q. What was your reason for that?

A. I did not like the conversation, and wanted to put a stop to it.

Q. Have the goodness to state what happened after this?

A. Upon my not hearing him walking about the room, I turned about, and he said, Doctor, I have drank some of your milk—and I said Mr. Crawley, you have not treated me well, for you have deprived me of my supper to night and probably of my dinner to morrow, for I cannot take any thing but the milk which I get from a particular man—I said, did you hear two screams—and he said, I did not. Were you below?—I was, sir. Is Mrs. Davidson within?—she is, sir. And I said, go down to the girl and send her for whatever you want, and he returned in about two minutes or less, and said they were both gone out.

Q. Did he do anything when he returned?

A. He sat down by the fire and did not seem disposed to talk and we continued rather silent for two or three minutes and then a rap came to the door, and I said, Mr Crawley you have told me that there is no person below and you had better go down and open the door, and he went down and let in Mr. Howis, a relation of mine, when he came up I said who let you in, and he said it was a man, and I said it must be young Crawley.

Q. How long did he continue with you?

A. An hour precisely.

Q. What o'clock was it when he went away?

A. Precisely 9, it was 8 o'clock when he came.

Q. Did you hear any noise?

A. Not the least, after Mr. Howis went away I continued reading from 9 till half-past 10 o'clock.

Q. Did you let Mr. Howis out?

A. No, he went himself, about an hour and a-half after I heard a rap and lifted up the sash, and perceived it was Mrs. Davidson's nephew, who lived in the house, and I told him that I would go down and let him in, and he said, Doctor what is the meaning of this that there is no one within but you, and I said I do not know, Mr Crawley told me they both went out.

Q. Did you open the door,—was it shut?

A. It was.

Q. Which of you went first?

A. He did. I was immediately after him with a candle, and says he, I will go into the back parlour and see if any body is there; and the first thing that I saw was Mrs. Davidson and her maid lying bloody, and Mrs. Davidson's petticoat was on fire.

Q. Did you see the body of Mary Mooney?

A. I did sir.

Q. Did you mean to say that she was making your bed before Crawley came into the house,—what appearance had she when you saw her in the parlour?

A. She was so disfigured with blood that I could not see her face

Q. The alarm was then given?

A. It was.

Q. Did you understand what room Crawley had taken ?

A. I understood it was the room overhead.

Cross Examined by Mr. CURRAN.

Q. Where is Mr. Ferral ?

A. I suppose he is out of the kingdom.

I request Doctor you will confine yourself to the simple answers of the questions I shall ask you.

Q. Mr. Crawley you believe lived in Mrs Davidson's house ?

A. He did.

Q. You mentioned a circumstance of Mrs. Davidson's having about a couple of hundred pounds in the hands of a Mr. Waters ?

A. I did.

Q. Then you can have no doubt that Mr. Crawley after hearing that her poverty was so great that she was obliged to let almost every room in her house, must have thought her to be a very poor woman ?

A. I can't answer for him at all.

Q. Did you not give him reason to think so ?

A. I did.

Q. Do you believe so yourself ?

A. I do.

Q. I don't wish Doctor that you and I should differ on the subject—I wish that we should agree in opinion—his father was an acquaintance of yours ?

A. He was.

Q. Did you mention anything about what wealth you had yourself?—I don't mean that you should tell me where it is—No, I don't expect any such thing, but you told him that you had hardly enough for yourself, to pay your lodgings and your curate ?

A. I did.

Q. And therefore you could not have entrusted any person with a great sum of money ?

A. I could not.

Q. Then your evidence goes to prove that this wealth could be no inducement to commit any crime. There is a back door to this house ?

A. There is.

Q. Now, could not any person, who came in at the back door, go out at the street door, and shut it after him ?

A. He might.

Q. Was it not a common latch that was to the door ?

A. There was a latch to it.

Q. You mentioned, (if I mistake not,) that Mr. Ferral lodged in the house ?

A. I did, Sir.

Q. You also mentioned that Mr. Howis called ?

A. I did.

Q. Was he not in the habit of calling on you ?

Baron SMITH. Are we to understand that Ferral lived in the house when the murder was committed ?

A. I will ask him, my Lord.

Q. Did Mr. Ferral live in the house at the time of the perpetration of the murder?

A. He did, Sir.

Q. Don't you believe now, that any person acquainted with the nature of that house, would naturally expect a number of visitors, to come to the lodgers?

A. I have no great variety of company coming to me.

Q. I think, I recollect, you said, that it was an hour from the time you heard the shrieks, until the Prisoner came into the room?

A. It was an hour.

Q. Now, Sir, you said, and very fairly and properly, that you had not been pleased to see Mr. Crawley—you can't tell whether he came up or down stairs?

A. He might have spent that hour (you were talking of) above stairs.

Q. When he told you that he drank some of your milk, I rather collect from you, that you spoke with some little appearance of displeasure?

A. I did.

Q. And I think he shewed some kind of sulk, as if he thought there was a little impatience and appearance of anger in you?

A. He did, Sir, for he told me, that by the same time next night, he would give me as good milk, and more of it.

Q. Well then you will allow, Doctor, that I may fairly say that was the *lex Talionis*.—Mr. Crawley's father was a clergyman too?

A. Yes he is a clergyman of the Church of England,—I was in a treaty with the prisoner at the Bar and his father, about collecting my Tythes.

Q. Then of course you must have had a respectable opinion of him?

A. I had,—and his father was a man of property, and said he would go security for him.

Foreman of the Jury. Did you perceive any appearance of blood on Crawley?

A. I did not mind it.

One of the Jurors. Had the servant maid a cap on her?

A. I did not take notice of it, for her face was so horrid I could not bear to look at her?

Q. How long was it from the time Crawley said Mrs. Davidson was below that you saw the bodies?

A. About an hour.

Lord NORBURY. He had been lodging in the house a week previous to the time the murder was perpetrated?

A. He had.

Lord NORBURY. He was in your room?

A. He was two or three times.

Q. You say, you never saw him after that night?

A. I never saw him after letting in Mr. Howis, until I saw him in Mr. Alexander's office.

Q. Did he absent himself from the house before the murder was committed?

A. I don't know, except that Ferral told me he was absent for two nights, and I concluded he was still a lodger in the house.

Q. After you saw the woman murdered, did you not go up to Crawley's room?

A. I did not.

Q. Why did you not?

A. Mr. Ferral told me he would go for Mr. Mo. Mahon, to see if they were perfectly dead or not.

Q. Were you ever in Crawley's room since?

A. I was once.

Q. Were any of his goods left behind?

A. There was very little furniture left behind.

Q. You considered him as a lodger, when you admitted him into your room?

A. I certainly did.

Q. Did you know any thing of Ferral?

A. I did not see him that day before, he worked at his brother in law's, and came to eat his dinner, and went out immediately after.

Baron SMITH. You said you were in Crawley's Room, did you see any shelves there?

A. I saw nothing but a bed and some chairs.

Q. Did you hear any thing of his putting up shelves?

A. I did not.

One of the Jurors. What sort of a man is Ferral?

A. A quiet and inoffensive man as ever I saw in my life?

Q. What occasions his absence on this day?

A. I believe he went to England in pursuit of Crawley.

Surgical evidence having been adduced to prove that the wound which had caused the death of the servant, Mary Mooney (for whose murder only, in the first instance, the prisoner was to be tried), had been caused by a heavy, blunt, iron instrument, John M'Culloch was sworn and examined as follows:—

Examined by Mr. GREEN.

Q. Be so good to speak up so that their Lordships and the gentlemen of the Jury may hear you—What business do you follow?

A. I am a shoemaker.

Q. Do you keep a shop?

A. No, sir, but I keep a room.

Q. Where?

A. At No. 1, Bow-lane.

Q. How far is that from Peter's-row?

A. It is a very short distance, you have only to cross Aungier-street.

Q. How many pair of stairs up is your room?

A. Two, sir.

Q. Do you know Crawley, the Prisoner at the Bar?

A. I do very well, sir.

Q. Do you remember the morning when the news of the murder was reported?

A. I do, sir.

Q. Did you see the Prisoner on that day?

A. I saw him the evening before, sir.

Q. At what time?

A. Between 6 and 7 o'Clock, I cannot ascertain it exactly, it was after 6 o'Clock.

Q. Where did you see him?

A. I saw him in Bow-lane in my room.

Q. What did he say to you on going into your room?

A. He asked me to lend him a hammer to nail up some shelves.

Q. And what answer did you make?

A. I said I could not spare it, for that I wanted it for my own work, and I was going to use it, and wanted it every half hour.

Q. Did there anything happen after your refusing to lend your own hammer?

A. My wife was recollecting of a hammer which had been lent to a neighbouring huxter to break large coals into small pieces.

Q. What did she say?

A. She said that it might answer Mr. Crawley's purpose?

Q. What is the huxter's name?

A. Fitzpatrick.

Q. Did you send for the hammer?

A. I did, sir; I sent my son for it, and he returned and brought it with him, and gave it to Mr. Crawley.

Q. To whom did it originally belong?

A. To one Davis, a gunsmith.

Q. Was that the hammer you lent Crawley? (*Showing hammer.*)

A. It was a hammer exactly of that description, but I can't say whether it is the very identical hammer because I lent it for some time to the huxter.

Q. For what use did she get it from you?

A. For the purpose of breaking coals.

Lord Nonsay. It has just occurred to me, that the Witness has not pointed out the Prisoner at the bar.

Mr. Green. Turn about and try if you can see the Prisoner in Court.

A. That is Crawley.

Q. What connexion had you with the Prisoner?

A. He employed me for some time, and I mended some boots for him.

Q. Were you present when the hammer was returned?

A. I was not.

Q. When you returned home, did you perceive the hammer?

A. I did not.

Q. How soon after did you mention any thing about the hammer?

A. On the Saturday following, I mentioned it to a Mr. Garty, a Watch-maker.

Mr. Mc. Nally. My Lord, we will not ask this Witness any Question.

William M'Culloch was then examined by Mr. Ridgeway, and deposed as follows:—

You are son to John Mc Cullogh the shoe-maker, that lives in Bow-lane.

A. I am, Sir.

Q. Do you see Mr. Crawley in the Court?

A. Yes, Sir, I do, there he is.

Q. Do you remember his coming to your father's room?

A. I do, Sir.

Q. When?

A. I don't remember the day.

Q. About what time of the day?

A. I judged it to be about seven o'Clock in the evening.

Q. When did you hear of the murder?

A. The next day.

Q. The next day after what?

A. After the murder was committed.

Q. You heard of it the next day?

A. I did.

Q. Were you in the room when Mr. Crawley came there?

A. I was.

Q. What did he say?

A. He asked my father for a loan of an hammer, and my father said he wanted it himself, and could not spare it.

Q. Do you remember your mother saying any thing?

A. No. I do not.

Q. Were you sent for a hammer?

A. I was.

Q. Where?

A. To Mrs. Fitzpatrick's, and I brought it, and gave it into Mr. Crawley's hand.

Q. Did he take the hammer away?

A. He did.

Q. Did you see him again that evening?

A. I did—he came up with the hammer the same evening, and stood on the stairs.

Q. About what time?

A. I judged it to be about nine o'clock.

Q. What do you mean by his standing on the stairs, did he go in?

A. No, he did not—he rapped, and I opened the door, which was locked.

Q. Did you see Mr. Crawley?

A. I did, he was standing on the stairs, he asked me if my father was within, and I said he was not, and he then stretched me the hammer, and said that it fell out of his hand and got wet.

Q. Had you made any observations that it was wet?

A. No, I did not.

Q. Did you perceive it?

A. No, I did not mind whether it was wet or not.

Q. Did he go away or make any longer stay?

A. No, he did not, my mother bid me bring out a candle, and light Mr. Crawley down stairs, and he bid me good night.

Q. Did he say anything more to you?

A. No, nothing, but bid me not mind the light.

Q. Now, my man, how high is your father's room ?

A. Two pair.

Q. Are the stairs straight or winding ?

A. They are winding stairs.

Q. Is that the hammer you brought from Mrs. Fitzpatrick ?

A. It is.

Q. And that is the hammer that you gave to Mr. Crawley ?

A. It is.

Q. And that Mr. Crawley returned ?

A. It is.

With the exception of some evidence, not very valuable, pointing to implied admission of guilt, made by the prisoner after his arrest, this constituted the whole case proved against him.

The only part of the array of proofs brought against the prisoner, in which there appears to us some deficiency, is that of motive for the crime. Doubtless there were technical difficulties in the way of introducing evidence as to the possession of money by Mrs. Davidson, and the corresponding want of it in the prisoner ; but such proofs would certainly have made the case against the accused complete and perfect in every part.

The trite, "*quem Deus vult perdere, prius dementat*," is well illustrated in the history of this crime. Crawley's conduct appears almost inconsistent with a wish for concealment :—

He borrows from a man, to whom his person was perfectly well known, the instrument with which he commits the crime. He enters the room of a fellow lodger at three different hours on the evening of the murder, at such times and under such circumstances, as strongly to suggest him as the murderer ; at least to show his presence in the house at or very near the precise time of the murder. By flying from Dublin and assuming a false name, he almost points himself out as the assassin, and thus makes his only attempt at misleading and baffling pursuit the certain clue to discovery.

Crawley was found guilty and was hanged at Newgate, upon the 12th March, 1802.

He made no specific public confession of his guilt, but he did not deny it, and his conversation with the Rev. Mr. Gamble in his cell shortly before his execution, amounted to an admission of the justice of his sentence.

He wore at his execution a pair of Hussar, or hessian boots, which were then a fashionable article of dress, but this circumstance brought them into disfavor, and even to the present day the wearer of similar articles would run the risk of being greeted by the street boy with the cry of "Crawley's boots."

Crawley's position in life was respectable. His father was a clergyman, and he had himself been sworn in an attorney the year before the murder, but had to some extent abandoned his profession and obtained a commission in the Roscommon militia.

A passage in the charge of Baron Smith to the jury in this case, is almost an echo of Judge Buller's words, in his charge in the case of Sir Theodius Boughton. He says, "circumstantial evidence, unsupported by direct testimony, should be weighed with caution. But nevertheless, a train of well connected circumstances amounts in many cases to a more certain proof than direct testimony would, because a witness, who swears positively to a fact may be perjured, but in circumstances well connected and plainly proved there is less probability of a mistake."

We have already expressed our opinion of the value of such reasoning as this. Surely if a witness plainly proves the commission of the act, he is as worthy of belief (*ceteris paribus*), as when he proves some circumstance which alone, or combined with others, points to the guilt of the accused. It is as necessary for the "circumstance" to be proved as the actual commission of the act. May not the witnesses who proved the "circumstances," be as open to the imputation of perjury, as those who depose to having actually beheld the crime committed.

The last case which we shall notice, under the first division of our subject, is that of Professor Webster, convicted of the murder of Dr. George Parkman, at Boston, in the United States, on the 23rd of November, 1849.

The recent date of this event renders it unnecessary for us to give any lengthened detail of the evidence adduced on the trial. We shall content ourselves with a short sketch of the case, which owing to the position in life of the parties, and the mysterious nature of the murder, excited a very great sensation, not alone in America, but in these countries.

The accused, John W. Webster, was professor of and lecturer upon chemistry, at the Medical College, Boston.

The murdered man, Dr. George Parkman, resided in Boston, and was a man of some property.

So far back as 1842, Webster had become indebted to Dr. Parkman in money lent by the latter, and in 1847, executed to Dr. Parkman a mortgage of his personal property, to secure the amount due. In 1849, it transpired to Dr. Parkman that Webster had previously mortgaged these same chattels to another creditor, a fact which he had concealed from Dr. Parkman.

Parkman was a man of rigid principles and unbending integrity. Like many men who, possessed themselves of ample means, look upon inability to pay as something criminal, he regarded his debtor, Webster, as an offender against all social laws, and expressed his determination of pursuing him relentlessly.

On the fatal 23rd of November, this determination was made known to Webster, by a third party; on the same day, Webster called at Dr. Parkman's house, and appointed a meeting with the latter at Webster's rooms, at the Medical College.

Dr. Parkman was seen to enter that building between the hours of 1 and 2 o'clock on the day in question, but was never seen to leave it again.

It was proved that Dr. Parkman had on that day purchased a quantity of salad lettuce for his dinner, and had called at a grocer's and purchased sugar and butter, and left there a paper bag containing the salad, stating that he would call for it again.

His agent having occasion to see him, called at the Doctor's house at 3 o'clock, on the same day, expecting with certainty to meet with him at that hour, as the Doctor always dined at half past two o'clock, and was a man of very regular habits. Failing to meet him, Mr. Kingsley, the agent alluded to, called early the next morning and learned that Dr. Parkman had not been home during the night.

Alarmed, Mr. Kingsley commenced and prosecuted an unsuccessful search for the missing man, and in the afternoon of Saturday, the 24th November, rewards for his discovery were offered in the public papers.

From that time to the Friday following, the 30th, no trace whatever was had of the fate which had befallen him.

A search, not very carefully conducted, had been made at the Medical College, but as might have been expected, the body of Dr. Parkman was not found lying on the staircase or in any of the rooms.

The office of janitor, or door-keeper and general caretaker of the Medical College, was filled by a man named Littlefield. He appears to have been a man of some acuteness and intelligence, and to his suspicions of Professor Webster the discovery of the murder and murderer was due.

From the 23rd of November, the day on which Dr. Parkman was last seen alive, and entering the Medical College, Professor Webster had kept his rooms in that building constantly locked, and Littlefield was unable to enter them for the purpose of sweeping them and arranging the fires as usual.

Though Webster had declined the services of Littlefield to make up a fire in his rooms, on the pretence that some of the chemical preparations which he was then employing would not stand heat, the latter in his walks through the house had felt a great heat in the outside of the wall of Webster's room, manifestly caused by an unusually large fire within.

These circumstances, and other minor ones, excited suspicion in the mind of the janitor. He had accompanied the officers and others through the College on the occasion of their hasty examination, and he knew that one part of the building, and that too a part exclusively appropriated to Professor Webster's use, had not been inspected at all.

He determined to examine the vault of this closet, and as he was of course unable to obtain admittance to the closet itself for a sufficient time to prosecute an effectual search unobserved by Webster, or indeed to furnish any pretext for entering it at all, he was obliged to go to the underground floor of the College, and endeavour to force an entrance into the vault through the wall which divided it from the rest of the premises, near the foundations.

This he accomplished on the afternoon of Friday the 30th instant, and on looking through the hole which he had made in the wall into the vault, he saw lying therein a part of a human body, the pelvis and two portions of a leg.

Assistance was procured, and these remains taken out, and they were found to be partly wrapped in two towels bearing Webster's initials. This was considered sufficient to justify

the arrest of Professor Webster, and two officers were dispatched for that purpose to his residence at Cambridge, near Boston.

His laboratory and the furnace in it were then searched, and amongst the ashes in the furnace were found some artificial teeth, some melted gold, and one or two pearl shirt buttons.

The search was resumed the following (Saturday) morning and continued till four o'clock P. M. on that day, when a tea box apparently filled with tan, and having some minerals wrapped in paper on the top, attracted the notice of one of the policemen assisting in the search. He took off these minerals, and after taking out a portion of the tan reached a hunting knife, and, still deeper, the chest or thorax of a human being, and inserted in the thoracic cavity the greater part of a human thigh.

These parts fitted to those found in the vault.

In Webster's laboratory were found three large sized fish hooks tied together so as to form a species of grapple.

Upon Tuesday the 19th of March, 1850, Professor Webster was brought to trial for the murder, at the Supreme Judicial Court for Suffolk.

The presiding Judges were Chief Justice Shaw, and associate Judges, Wilde, Metcalfe, and Davey. The counsel for the Commonwealth (we had almost said for the Crown) were the Attorney General, Mr. Clifford, and George Bemis, Esq.

The prisoner was defended by the Honourable Pliny Merrick, and E. D. Sohier, Esq.

The evidence for the prosecution consisted of proof of the pecuniary transactions between the murdered man and the prisoner, in which the latter was the debtor—the appointment made between them for half past one on Friday the 23rd November, at the Medical College. That Dr. Parkman had entered that building about the appointed time on that day; that he had not returned home to dinner at the usual hour on that day—that he had never been seen subsequently alive—that certain remains had been found wrapped in towels belonging to the prisoner, in the vault of a closet to which the prisoner alone had access—that these remains, together with others found in a tea chest in the laboratory of the prisoner, resembled the corresponding parts of the living Dr. Parkman—that in the furnace of the prisoner's laboratory were found some

mineral teeth which a dentist swore were those which he had manufactured some time previously for Dr. Parkman. That Professor Webster, the prisoner, had remained much later than his usual hour on the 23rd of November in his rooms, and that contrary to his usual custom he had locked the doors of these rooms when leaving the College in the evening. That the doors so continued locked up to the time of the discovery by Littlefield of the remains in the vault. That during the same interval large fires appeared to have been kept up by the prisoner in his rooms.

A good deal of minor evidence was brought forward for the prosecution, but we have stated the strong points.

The defence consisted of proof of the prisoner's good character, and general amiability and humanity, and of Dr. Parkman's having been seen in the streets of Boston so late as 5 o'clock on the 23rd of November—the day on which the prosecutor alleged he had entered the Medical College and Webster's rooms at 1½, and had never been seen to quit.

The jury found the prisoner guilty, and he was subsequently executed.

Unlike Crawley, Webster appears to have adopted every precaution to escape detection, and it is only surprising that in the course of the week which elapsed from the commission of the crime till its discovery, he did not contrive to remove from the building every evidence of his guilt. The grapple formed of fishhooks was doubtless intended to be used in fishing up the remains at a convenient opportunity from the vault, and had they been removed, and had Littlefield thus been unsuccessful in his search in the vault, Webster would have had but little reason to fear the consequences of the discovery of the contents of the tea chest, supposing him, of course, to have removed the contents of the furnace.

These, indeed, formed the damning proof against him; a few teeth which he could have carried away in his hand, and disposed of anywhere, on the first convenient opportunity, were the most formidable witnesses against him, and rendered wholly vain his laborious dismemberment and attempted annihilation of the rest of the body. Not all the sermons that have been preached, not all the treatises that have been written, since sermons first were preached and books were written, have half the power to impress the thinking mind with the idea of a watchful Providence than this single circumstance possesses.

There is a disposition amongst men to view the commission of a crime with more or less horror and indignation according as the perpetrator may appear to have been actuated by motives more or less base.

The man who commits a deliberate and premeditated murder, no matter how horrible, through jealousy, disappointed love, or wounded honor, will never be classed by the generality of his fellow-men with him who kills merely for the sake of money. Human indignation is stirred universally by the infliction of a wrong of the former class, and there is a natural tendency to soften and excuse in another a crime which has been actuated by feelings in which all have a sympathy more or less warm. But to slay a fellow creature solely for the sake of seizing on his wealth, appears an offence of a far deeper dye; for no man likes to part without an equivalent with his gold, and to wrest from the victim not only his gold but his life, appears a vast accumulation of injustice and oppression.

It is not a flattering result to find on examination that nine-tenths of the murders that have been wrought since the time of Cain till this hour have had sordid pelf for their motive. The three cases we have referred to are among the number, and we shall find no exception to the rule amongst the higher and better educated class of criminals. How truly has the poet sung,

"Auri sacra fames! quid non mortalia pectora cogis?"

Patch, a man moving in a more than decent walk of life, deliberately murders the man who had fostered and protected him for the sake of that man's little means. Crawley, a member of an honorable profession and the son of a minister of religion, dashes out the brains of an old woman and her maid servant in the hope of possessing himself of a few guineas, the property of the former; and Webster, a professor of science, a man familiar with the beautiful mysteries of chemistry, butchers his creditor, to escape the payment of a just debt.

We shall not have occasion to dwell very long upon the second division of our subject. We shall but refer to one case in illustration, that of Sir Theodosius Boughton, which we have selected because we have found so many commentators upon it, agreeing in considering the verdict unsatisfactory.

Were we to notice under this head every case of conviction for murder on circumstantial evidence in which many respectable authorities have doubted the justness of the verdict, we

should fill the entire of this volume ; in fact there is none such that would not be open to cavil and dispute, and in which an ingenious reasoner could not establish numerous discrepancies.

The history of this case has become tolerably well known, a result to which Mr. James's familiar novel of "Laurel Water" has largely contributed.

Sir Theodosius Boughton was a young gentleman of position and fortune residing in Warwickshire, and had at the time of those occurrences almost attained his majority. Some of the accounts which we have examined state that he was a young man of delicate health and constitution ; others that his general health was good, though he was suffering at the time of his death from an attack of a particular disorder.

An apothecary named Powell, residing at Rugby, was in attendance on Sir Theodosius for this complaint.

Upon the 29th of August, 1780, Powell sent his patient a draught, composed as he alleged of rhubarb and jalap, spirits of lavender, nutmeg water, simple syrup, and common water. The bottle which held this draught was placed on a shelf in the Baronet's bed-room.

We should have stated that his mother, Lady Boughton, his sister Mrs. Donnellan, and his brother-in-law Captain Donnellan, resided with him, and it appeared further, that in the event of his death before he attained his majority, a large part of his fortune would descend to his sister, and Captain Donnellan would enjoy a life estate in it.

About seven o'clock, in the morning of the 30th of August, Lady Boughton entered his bed room to give him his draught as he had previously requested her to do, and having poured it into a cup she handed it to him to drink.

When he had taken about half of it he complained that it was exceedingly nauseous and smelt unpleasant, and Lady Boughton having smelled what remained in the cup observed to him that it had a strong odour of bitter almonds.

Almost immediately after Sir Theodosius was seized with convulsions and frothing at the mouth, and in about half-an-hour he was a dead man.

While he was yet struggling in the agonies of death Captain Donnellan came into the room, and contrary (as she stated) to the remonstrances of Lady Boughton washed out the bottle which had contained the draught. The body was buried, but whispers of foul play having gone abroad, a

Sir William Wheeler, who had been the deceased Baronet's guardian, insisted on its exhumation, and eight days after its interment it was taken up and opened.

Putrefaction had advanced so far as to render the autopsy of little advantage in investigating the real cause of death; the result, however, was to place Captain Donnellan on his trial for wilful murder.

The case against him consisted of the evidence of Lady Boughton, who detailed the various circumstances we have narrated, and that of some medical men who deposed that the symptoms in Sir Theodosius' case resembled those produced in animals poisoned with laurel water, and proof that Captain Donnellan had a still in his own room, and that there were laurel and bay trees growing in the garden.

For the defence the principal witness was the eminent and celebrated John Hunter, and his evidence went to prove that though the appearances, presented by Sir Theodosius after he had taken the draught were consistent with poisoning by laurel water, yet that they were also consistent with natural death from apoplexy or epilepsy. In other words, that though, if satisfied beyond doubt that Sir Theodosius had partaken of laurel water, he would have ascribed the symptoms to that poison, yet if unaware of any draught having been drunk he would have felt no difficulty in accounting for those symptoms, without any enquiry as to whether any poison could have been administered.

It will be seen that the only evidence of the draught having contained laurel water, was that of Lady Boughton as to its peculiar smell. Her declarations on this point, palpably suggested enquiries as to the particular symptoms, and an endeavour to reconcile those symptoms with poisoning by laurel water.

Dr. Parsons, professor of Anatomy at Oxford, stated that the opinion of the medical men that the deceased had been poisoned with laurel water was grounded on the description of the smell, by Lady Boughton, and on nothing else. It must be owned that even making allowances for the peculiarity of this smell, and the forcible manner in which the idea of bitter almonds struck Lady Boughton, immediately after she had placed the contents of the bottle to her nose, this evidence that the draught had contained laurel water is not very conclusive.

The organ of smell is very various and capricious in different

persons ; some consider that odour disgusting which others feel the greatest delight in inhaling. One man will perceive what he calls a smell of bitter almonds, where another will assert with equal confidence that there is one of a totally different character.

Even the same person will at different periods of the same day perceive, or fancy he perceives in the same thing, different smells, and it certainly strikes us as taking too much for granted, to adopt Lady Boughton's testimony, as establishing the fact of the draught having contained laurel water.

Assuming this, as proved, the medical witnesses found no difficulty in ascribing the peculiar symptoms exhibited in Sir Theodosius to poisoning with laurel water, though they were forced to admit, that these same symptoms were consistent with death from apoplexy, and still more from epilepsy. It should, too, be borne in mind that a severe attack of this latter disorder is a constant successor on the complaint, when at all aggravated, from which, confessedly, Sir Theodosius was suffering, previously to his death.

With modern experience to guide us, had Captain Donnellan's trial taken place in these days, it is probable a stricter examination of Dr. Powell, the apothecary, and his assistants would have been instituted, than appears to have been had on the trial. We know by sad experience how frequently life is endangered and lost through the negligence of apothecaries and dispensers of medicines, and as the draught prescribed and mixed for Sir Theodosius Boughton contained a number of ingredients, it is within possibility that some mistake may have been made in the compounding of these ingredients. It was proved against the prisoner that he had a still in his private room, for the real or ostensible purpose of distilling roses, and that he had brought this still, wet with lime, to one of the servants to be cleaned, some days after the death of Sir Theodosius Boughton.

It was further proved that several bay and laurel trees grew in the garden.

On this evidence, coupled with proof of the interest which Captain Donnellan had in the decease of his brother-in-law before the latter should attain his majority, the prisoner was found guilty and subsequently executed.*

There is a deficiency on the proof of the draught having contained laurel water at all. Lady Boughton had never seen

* Mrs. Donnellan was twice married after the execution of her husband ; her third husband was the well known Barry O'Mera.

that liquid—she merely perceived as she thought a strong smell of bitter almonds, arising from the remains of the draught—none of the draught was preserved for analysis. It might have been improperly mixed, in some one of its numerous ingredients, by the apothecary or his assistants. Sir Theodosius was ailing—the symptoms he exhibited were consistent with an attack of apoplexy or epilepsy.—Captain Donnellan was not shewn to have ever had any laurel water in his possession—he was not seen in Sir Theodosius' room from the time the draught was placed there till it was administered, nor was the draught itself missed from the shelf at any time during the same interval. The post-mortem appearances of the body shewed, according to Hunter, nothing but the effects of putrefaction.

In fact, though we perhaps will not go the length of saying that Captain Donnellan was manifestly innocent, we are strongly of opinion that he was convicted on evidence of the weakest character, and such as we should regret to see considered sufficient for the condemnation of the meanest of the canine race.

Certainly Mr. Justice Buller appears to us to have been most infelicitous in selecting the occasion of this trial for enlarging on the cogency of circumstantial evidence, and yet his words then spoken have even to the present time their influence on the opinions of many lawyers—and still keep together the rags of a foolish prejudice which common sense daily endeavours to wholly rend and scatter.

We now approach a truly painful portion of our subject, one, however, deeply fraught with instructive warning; with a warning not alone directed to us in our respective offices of judges and jurors, but also to us in our minutest transactions of every-day life. Should each of us be candid enough to admit it, we would be forced to confess how almost every day of our lives we have had reason to regret hasty decisions and assumptions of the guilt of others, in matters more or less important, conclusions grounded on what struck us at the time as irresistible combinations of circumstances, but which an interval of perhaps a day, or even an hour, has scattered into fragments.

To produce two or three cases in which the conviction of the accused was had entirely on circumstantial evidence, and in which the impropriety and injustice of the conviction were subsequently made manifest, would of itself make perhaps no very powerful case against circumstantial evidence, but if it be

borne in mind that the punishment awarded on a conviction for murder is the irrevocable doom of death, the caution with which such convictions should be arrived at will be duly appreciated. In fact the humane, nay more, the conscientious, man will always be slow to find another guilty of a capital crime on purely circumstantial evidence, remembering the numerous cases in which such evidence, or rather the conclusions drawn from it, have subsequently been proved fallacious. Even without this the skilful advocate will not fail to urge this topic in his address for the prisoner, and the more enlightened and intelligent the jury the more fully will the force of his arguments be felt. The result will almost inevitably be wavering and indecision, and a reluctance to condemn, which would not be felt were the punishment following conviction less extreme. It may be argued that this course of conduct is unreasonable and unjust, and that it is as unfair to subject a man to the least punishment as to the greatest on unsatisfactory evidence of his guilt,—this we admit, and we willingly grant that on all occasions the accused should have the benefit of any reasonable doubt; but we speak of cases in which the mind is satisfied, and a moral certainty of the guilt of the accused rests upon it; but in which the recollection of many such cases as those we are about to mention comes across the mind, and causes a man to pause before he commits a fellow-creature to a punishment which, once inflicted, is complete and final, and which no earthly power can subsequently mitigate or cancel.

In the year 1742 a gentleman on his road to Hull, and within a few miles of that town, was waylaid by a masked highwayman, and robbed of a purse containing twenty guineas,

Having accomplished the robbery, the highwayman rode off by a different road, and the gentleman pursued his journey, but being a little shaken by the occurrence he went but two miles further on his road, and then determined to stop for the night at the Bell Inn, which was kept by one James Brunell. Here he related the circumstances of the robbery, and added that as he made a rule when travelling to mark all the gold he carried, he had hopes that through this means a clue would be eventually had to the discovery of the robber.

In the course of the evening, Mr. Brunell, the landlord, entered the traveller's room and having made the usual enquiries after the comfort of his guest, stated his conviction that he should be able to point out the criminal.

He went on to say that his suspicions had fallen on one of his own waiters, who had lately made a considerable show of possessing money, and whom he was about to discharge from a conviction of his dishonesty ; that he had sent this man, John Jennings, out for change of a guinea that evening, and that the latter had returned, subsequent to the arrival of the traveller at the Bell, intoxicated, and stating that he had been unable to procure change. That he, Brunell, had been struck by the idea that the guinea returned to him by Jennings, was not the identical coin which had been given him to get changed, and that having sent Jennings to bed, he took occasion to examine the guinea, and was satisfied, by discovering upon it a peculiar mark, that it was not the same. That this circumstance alone did not at the time occasion him any particular anxiety, as Jennings frequently had gold in his possession, and that shortly after he paid away the marked coin returned to him by Jennings to a person who resided at a distance, and who had since gone home. That having subsequently heard the account of the robbery, as given by the traveller, from some person who was present at the time, which he was not himself, and of the circumstance of all the stolen money being marked, he had thought it but right to mention all that had occurred, and take steps for the discovery of the guilty party.

It was arranged accordingly that the traveller and Brunell should go up softly to Jennings' room, and having done so, and found him fast asleep, they examined his pockets, and drew forth from one of them the identical stolen purse containing exactly nineteen guineas, each marked precisely as described.

Jennings was forthwith roused and given into custody on the charge, which he firmly and positively denied, but without gaining much belief in his innocence in the face of such powerful circumstances.

Being brought to trial, his master deposed to the same facts which he had related to the traveller on the evening of the robbery, and produced the man to whom he had paid away the guinea handed to him by Jennings, and this man in turn produced the same guinea, which the prosecutor identified as forming one of the twenty of which he had been robbed. On this evidence Jennings was convicted, and subsequently executed, declaring his innocence to the last.

Within one year that innocence was established, too late however to repair the injustice done. Brunell, the landlord,

and principal witness against Jennings, was arrested, tried, and convicted, and sentenced to death for robbing one of his guests in his own house.

Smitten at last by remorse, he confessed that he had been guilty of several highway robberies, and amongst the rest that for which the unfortunate Jennings had been hanged.

It appeared from Brunell's confession, that having effected the robbery he reached home by a shorter route than that taken by the traveller, and found on his arrival a person waiting to be paid a trifling account; not having sufficient money in his pocket, he added one of the stolen guineas, and paid and dismissed his creditor, and then went to the stables to groom the horse from which he had just alighted. In the interim the traveller arrived and narrated the circumstances of the robbery, and of the money stolen been marked, all of which was repeated by some of the parties who had been present to Brunell on his return from the stables to the house. Terrified and confounded, and particularly alarmed at having parted with one of the marked coins to a person in his own house, and to whom he could not possibly apply for it again, detection seemed inevitable, and in the midst of his perplexity the nefarious scheme, which he subsequently executed with such lamentable success, suggested itself to his mind.

We cannot blame the jury who convicted Jennings,—Can we approve the law which deprived him of life, and cut off every opportunity of subsequent redress? Of such redress as restoration to liberty, and reputation, and a substantial pecuniary recompense, would have supplied.

We may take this opportunity of noticing an absurd anomaly presented by our criminal code. So jealously does the legislature guard the finality of the verdict of a jury in a criminal case, that a man once convicted, receives upon his innocence being subsequently established, not a reversal of his conviction and sentence, but the gracious favor of a *free pardon*!!

Is it not to heap coals of fire on the head of a victim of injustice, already goaded to madness by a sense of injury, to tell him with the same breath which announces the establishing of his innocence, that his sovereign has been graciously pleased to grant him a free pardon? Really this clumsy contrivance to evade a candid admission of error, and a just expression of regret, is more worthy of a race of savages than of a civilized nation.

What a fierce mockery to tell a man to his face, that he has been the victim of a mistake, (no matter how excusable), that he was presumed and partly punished as guilty, but has been found wholly guiltless, that he has been cruelly wronged on every side, and that therefore—he has been mercifully granted a free pardon!

How much more consistent it would be with our boasted refinement and civilization, nay more, how much more consonant with common sense and common right, to make the declaration of a man's innocence, when thus established, as public and as solemn as was the declaration of his guilt. Would it be more than the barest measure of equity, to send for the man to the gaol in which he had been immured, to appoint a public sitting of the same court that tried him, to have him brought before that court, and publicly, and suitably, and feelingly addressed in the presence of his fellow countrymen, and then and there told how deeply the involuntary injustice done him had wrung the great heart of the guardian law of the land? Would it be more or otherwise than just to order that a suitable pecuniary recompense, measured according to the rank of life, extent and duration of punishment undergone, and other considerations, should be awarded to him; a recompense paid out of the public purse, and valuable, not as money worth, but as a public and substantial testimony, that he was then and there restored to that position in the good opinion of his fellow men, of which he had been temporarily and unjustly deprived? But to return to our illustrations.

There dwelt in Edinburgh in the year 1721, a man named William Shaw, who followed the trade of an upholsterer. He had living with him one daughter, Catherine, who at the time of the occurrences we are about to mention was attached to one John Lawson, a jeweller, but his addresses were discouraged by her father, who alleged that Lawson was dissipated and extravagant, and forbade him the house.

The daughter continued, notwithstanding, to receive the addresses of Lawson clandestinely, until her father discovered her proceedings; and thenceforth kept her in strict confinement, and under close surveillance.

A young man named Robertson, the son of a neighbour, and friend of Shaw, was the person on whom the latter desired his daughter to bestow her affections, but she could not be in-

duced to look favourably upon his suit, and on one evening in particular, when her father had pressed his wishes upon her with unusual force, she vehemently declared that she would prefer death to becoming the wife of a man she hated.

Her father was enraged at what he considered her undutiful and foolish obstinacy, and made use of several passionate expressions which were replied to with equal warmth, and the words "barbarity," "cruelty," and "death," were frequently pronounced by the daughter, and at last her father in a rage left her, locking the door after him.

The room occupied by Shaw was separated only by a single partition from the next, in which James Morrison, a watch-case maker by trade, dwelt. This man was at home on the evening on which the violent altercation between Shaw and his daughter had occurred, and had heard indistinctly portions of the conversation between them, the words we have particularized, however, which were pronounced forcibly and emphatically, having made a particular impression.

The father, having as we have stated, gone out, nothing was heard for a time, but presently Morrison was alarmed by hearing groans in the room occupied by the Shaws, and calling in his neighbours, they too on listening attentively heard not only the groans but the voice of Catherine Shaw faintly exclaiming twice or thrice, "cruel father, thou art the cause of my death!"

Morrison and his companions at once hastened to the door of Shaw's room, and having knocked thereat several times without receiving any reply, a constable was procured, the door burst open, and Catherine Shaw found lying on the floor steeped in her blood, which issued from a wound evidently made with a knife which lay by her side.

She yet lived, though unable to articulate, but the circumstances, combined with previous suspicions of Shaw, induced those present to ask her if she attributed her death to her father's hand, in reply to which enquiry she was only able to make a motion of her head, which was interpreted into an affirmative, and then gave up the ghost.

Scarcely had she expired ere her father returned and entered the room, and seeing a number of his neighbours with a constable in his apartment, betrayed considerable confusion, which was increased to extreme agitation at the sight of his dead daughter.

Suspicion became certainty when his shirt was observed to be stained with blood, and forthwith he was conveyed before a magistrate, and upon the depositions of the neighbours and constable committed for trial upon the charge of wilful murder.

The evidence against him on his trial consisted in proof of frequent quarrels between himself and daughter, the particularly violent disagreement on the night in question, and the uttering of the words "barbarity," "cruelty," "death," his leaving her in anger, her being heard soon after to groan and exclaim, "cruel father, thou art the cause of my death," her being shortly after found dying of a wound made with a knife which lay beside her, the apparently affirmative motion of her head, and the blood with which his shirt was stained.

Against this array Shaw was unable to oppose more than his bare denial of guilt, and his assertion that the blood on his shirt had flowed from his arm which had been imperfectly tied after the operation of bleeding, which he had undergone some days before; and he was accordingly found guilty, and hanged in chains, at Leith walk, in the month of November, 1721.

In the August of the following year, a person who had become the tenant of Shaw's apartments, was arranging the room in which Catherine Shaw breathed her last, when he lighted on a paper folded like a letter, and which had fallen into a space at one side of the chimney; it contained these words:—

"BARBAROUS FATHER—Your cruelty in having put it out of my power ever to join my fate to that of the only man I could love, and tyrannically insisting upon my marrying one whom I always hated, has made me form a resolution to put an end to my existence, which is become a burthen to me. I doubt not I shall find mercy in another world; for sure no benevolent being can require that I should any longer live in torment to myself in this! My death I lay to your charge: when you read this consider yourself as the inhuman wretch that plunged the murderous knife in the bosom of the unhappy

CATHERINE SHAW."

When we mention the fact that this letter was recognised as the hand-writing of her whose name was affixed to it, we have said enough to show that Shaw was the victim of circumstantial evidence.

Enquiry was made, the authenticity of the letter established,

the body of the unfortunate Shaw, which still swung, "weltering to the parching winds," upon the gibbet on which his life had been ended, was taken down and given to his friends for decent and Christian burial, and in token of his innocence, and as a reparation to his slandered memory, a pair of colors was waved over his grave.

Ample reparation! generous amende! The arm of the law had snatched him from the midst of his projects and his labors, from the realizations of the present and the hopes of the future; had filled his last hours with bitterness and branded his memory with disgrace, and having found at length that it had been too hasty to smite, it atones for all this injustice and precipitation by waving a banner over his senseless clay.

We should certainly run the risk, if we have not already incurred the certainty of fatiguing our readers, by adding many further illustrations; we shall content ourselves therefore with one, as striking as those which we have already submitted.

Lady Mazel was a lady of fashion, who, in the year 1689, lived in a large house in Paris.

Her establishment consisted of a valet, named Le Brun, two footboys, two housemaids, a cook, and a coachman. The Abbé Poulard, her private chaplain, occupied a room in the house, as did also all the servants except the coachman, who slept in the stable.

Lady Mazel herself occupied a room, the innermost of three, opening from the grand stair case, on an upper floor.

Upon Sunday, the 27th November, she went to afternoon service accompanied by Le Brun, her valet, who having escorted her to church went himself to another.

Lady Mazel having supped with the Abbé Poulard, retired to bed at about 11 at night. The key of her bed-room door was usually laid upon a chair within the room near the door, and the servant who might happen to be last with her mistress at bed time was accustomed to lay the key in that place, and on leaving the room to shut the door after her, which, fastening with a spring, could not be opened from the outside. On this night, Le Brun came to the bed-room door to receive his lady's orders for the following day, and the maid having attended her mistress to bed came out of the room, the door of which immediately after was shut close by Le Brun.

In the morning Le Brun went as usual to market, and having returned home, was surprised to find, at eight o'clock, that his

mistress, whose usual hour of rising was seven o'clock, had not yet risen.

He again went out to his wife's lodgings, which were near, told her he was uneasy at not having heard his lady's bell ring, and gave her some gold which he desired her to place in security. Returning once more to his lady's house, he found the servants much alarmed at having heard nothing yet of their mistress, and one of them expressed his fears that she had been struck with apoplexy, or attacked by a bleeding at the nose, to which she was subject.

Le Brun, however, was not satisfied to ascribe the unusual circumstances to either of these causes, but stated his conviction that something worse had happened, for that he had found the street door open the night before, after everyone in the house except himself had retired to rest. The lady's son-in-law was then sent for, and he also expressed his fears that the mistress of the house had been attacked by apoplexy, on which Le Brun repeated the expression of his fears and the fact of his having found the street-door open the preceding night.

A lock-smith was sent for, and the door of the bed-room was forced open. Le Brun entered first, ran to the bed, and after calling once or twice on his mistress, drew back the curtains and cried out, "my mistress has been murdered." He then ran immediately to the wardrobe or recess in the room in which the Lady Mazel was accustomed to keep her money, and having lifted up her strong box and found it heavy, he cried out, "how is this? she has not been robbed!"

A surgeon having arrived the body was examined and found to have received no less than fifty wounds, while numerous gashes upon her hands and arms shewed that she had not been overcome without a considerable struggle.

Upon the bed, which was drenched with blood, were found a fragment of coarse lace belonging to a cravat, and a napkin which had been formed into a night cap, and which was marked with the family arms.

The bell ropes were tied up so as to be out of reach, and in the ashes of the grate, and nearly consumed by the fire, was found a clasp knife, from which every trace of blood, if any had ever been upon it, had disappeared.

Le Brun was examined, and stated that after having received his lady's orders at her bed-room door, he had gone down stairs to the kitchen, and having sat down at the fire to warm himself, he had fallen asleep, and slept, as he thought, for about an

hour, and that then awaking and going to lock the street door he had found it open, had locked it, and taken away the key to his bed chamber. He was searched, and in his pocket was found a new filed key, which fitted the hall-door, and the door of Lady Mazel's chamber.

The bloody night cap was put upon his head and found to be an exact fit, and these circumstances were judged sufficiently strong to warrant his committal to prison on the charge of murdering his mistress.

It appeared to his prosecutors and the public that he must have admitted the actual murderer into the house, a conclusion appearing warranted by his possession of the key, and it was thought that had he himself perpetrated the murder, his clothes would inevitably have been stained with blood, no trace of which was found upon them; the fragment found of the cravat, not corresponding with any worn by the prisoner, favored this presumption.

When we state that Le Brun had no defence to offer to these strong circumstances save a simple protestation of innocence and proof of his having maintained an irreproachable character all his life, the reader will conclude that his defence availed him little. To induce him to disclose the name of his supposed accomplice, he was tortured with such severity that he died under the infliction upon the 23rd of February, 1690.

About a month after a man named Berry, who had been a servant in Lady Mazel's house, and dismissed about two months before the murder, was arrested at Sens, upon suspicion of having been concerned in the murder, and on being searched Lady Mazel's gold watch was found upon him.

On the strength of these and other concurring circumstances he was condemned to death, and then came repentance and confession too late to save the life of an innocent man.

His account was this. Favored by his knowledge of the localities and of the habits of the household, he had got unperceived into the house on the Friday proceeding murder.

He reached one of the lofts at the top of the house, where he remained concealed till Sunday, subsisting upon bread and apples, with which he had previously supplied himself.

About eleven o'clock on the Sunday, knowing that the mistress of the house was accustomed to go to church at that hour, he stole softly down stairs and finding her bedroom door open, he entered, and tried to conceal himself under her bed. Finding that it was too low to admit him with ease, he returned

to the loft, divested himself of his coat and waistcoat, and returned to the room in his shirt, and was this time successful in introducing his person under the bed. There he remained all day, and when Lady Mazel, in the afternoon, had again left the house to go to church, he came forth, threw his hat, which he found inconvenient, under the bed, and formed a nightcap out of a napkin which lay on a chair.

Having tied up the bell-ropes, he sat down by the fire, where he continued until he heard the noise of the lady's carriage wheels in the court-yard below, when he again retreated to his hiding place under the bed, and lay there concealed until Lady Mazel had retired for the night. After she had lain down about an hour, he came from under the bed, and demanded her money, and on her attempting to cry out and ring the bell, he stabbed her repeatedly until she was dead. Having then taken the key of the wardrobe, and also of the strong box, he opened the latter, and abstracted about 600 livres, resumed his hat, leaving his napkin-formed nightcap on the bed, replaced the strong box and keys, and having thrown his knife, the instrument of the murder, into the grate, he returned to the loft, and resumed his clothes. He then descended the stairs, and finding the street door only latched, he went out, leaving the door open after him.

Could the executive have restored Le Brun to life, and given back to his wife and children a husband and a father, rudely torn from them in the prime of life, and full vigor of health, with every disgraceful and contumelious circumstance that could further embitter the bitter pangs of death, no doubt it would have been to them a source of pure delight to have exercised the power: but while we know that this power was denied them, would that we could feel that the example was to them, or ever since to others in a like position, who have heard of this or had personal experience of other cases such as this, a source, as it should be, of temperance and moderation of opinion.

We have not space to give even an abridged account of the celebrated case of *Sieur D'Anglade*, one, however, as instructive as we trust are those which we have related. The offence imputed was not murder but robbery, and never perhaps was there apparently a more convincing combination of circumstances to fasten guilt upon an innocent man. Convicted on the evidence furnished by these circumstances, a man of education, sensibility, and rank, was con-

demned to the galleys for nine years, his wife banished from Paris for a like period, his fortune almost exhausted by heavy fines, and his name and memory loaded with infamy. His life was spared him by the law only to be taken by the ravages of disease, generated by the misery and wretchedness of his position. Some reparation was, doubtless, made in the persons of his widow and daughter after his death and the establishment of his innocence, but he was himself then as far beyond the reach of earthly consolation, as if he had ended his life upon the gibbet, instead of in the dungeon at Marseilles. The case will be found in one of the volumes of the interesting series of French trials, known as *Les Causes Célèbres*, but we are unable just now to indicate the number of the volume.

The story told by Gerald Griffin as an introductory episode in the "Barber of Bantry," is, we believe, founded on fact. Our readers will remember that it was of two men who had been seen fighting in a field, one of whom, shortly afterwards, was found lying dead in the same field, a pitchfork, apparently the instrument with which the murder had been committed, being by his side. The pitchfork was recognized as belonging to the survivor of the two men who had been seen quarrelling, and he was known to have taken it out with him on the morning in question. He was apprehended and brought to trial, and it having been established, in addition to these facts, that an enmity of some standing had existed between him and the deceased, his conviction, in spite of the protestations of innocence which he made, appeared certain. The jury, nevertheless, appeared to hesitate, and after having been absent from court in deliberation for a considerable time, returned and informed the court, that one of their body persisted in acquitting the prisoner. Such an announcement would probably in these days be repressed as irregular, but it appears that on this occasion the judge considered it his duty to remonstrate with the dissentient jury-man; ineffectually, however, and to avoid the probable fate of being kished, the jury agreed in a verdict of acquittal. In Griffin's story we are told that the jury was kished and discharged, but we rather think that they must have found a verdict of acquittal, as there would be nothing otherwise to prevent the prisoner being tried again.

Miss Landon's affecting story of Hester Malpas is doubtless known to many of our readers. A young, innocent, warm-hearted, and beautiful girl whose parents had fallen into poverty, Hester is adopted by an elderly aunt living in London, and takes up her abode with the aunt accordingly. Here

she meets one evening, while taking her accustomed walk, her lover, Frank Horton, from whom she had been separated when she came to live in London. She meets him again and again, until at last her aunt, making the discovery, forbids her to go out as usual, and reproaches her with undue severity for her clandestine conduct. One Sunday evening her aunt harshly desires her to go to church, accompanied by the servant, and Hester leaves home for the purpose, but meeting her lover a sad scene ensues between them, for he declares his regret that he had, by renewing his acquaintance with her, brought upon her her aunt's displeasure, and that he is about to quit England for a time, and to seek his fortune on the shores of America. The interview lasts till the service is nearly concluded, and Hester unwilling to enter the church, returns home, admitting herself and lover through the back-door, of which she has the key. A neighbour, an acquaintance of her aunt's, missing her from church, calls shortly after to remonstrate with the latter on her severity towards Hester, in thus, as he supposes, confining her to the house. He is unable, after knocking, to gain admission, when the servant coming up admits both by means of a latch-key. She opens the parlour-door to shew him in, there, and suddenly starts back with a violent scream. Her mistress is lying upon the floor, her skull dreadfully fractured, and life extinct. Hester is called, to come at once to her aunt, but hesitates, and replies, "not yet, not yet, I cannot bear it." The parlour window is open, but there are no traces of footsteps in the flower-plot outside; the more portable articles alone, such as spoons, the old lady's watch, and whatever money may have been in the house, are taken off. Everything combines to fasten suspicion on Hester: her frequent clandestine meetings with Horton in direct opposition to her aunt's injunctions, and her meeting him, in particular on the evening of her aunt's murder, instead of going, as she had been directed, to church; his having been seen on the same evening to quit her aunt's house in apparent haste, and her own hesitation and refusal to come down stairs when summoned by the servant. She is tried and convicted.

Miss Landon's pathos and feeling are required to complete the story in any other words than her own. The crushing intelligence of the horrible fate that had fallen on their young and lovely daughter reaches the parents, when basking in the

first sunshine of prosperity and happiness that had for years gleamed upon their lives; seated in the calm summer eventide at their cottage door, and watching the gambols of their younger children, and thinking with calm complacency of her who was far away, and to whom in a great measure they owed that tranquil happiness, a letter is delivered, this time wanting the well known superscription hailed always with delight. In a moment the sunshine is darkened, and a thick veil of trouble, horror and grief, obscures the souls of the wretched parents.

We will spare the reader the painful recital of the rest of the story. The visit of the mother to her daughter in prison, in the condemned cell; the awful night before her execution; the agony, the despair, the wild horror of the last parting. A twelvemonth after, Hester's parents who rich in worldly goods by the intestacy of Hester's aunt, are seated once again at their cottage door. The sun is flinging his parting rays over the scene, and gilding with a calm and mellow light every spot save those hearts into which neither joy nor sunshine shall ever enter more.

Once again a post packet is delivered to the wretched father, who opens it mechanically. It is a newspaper directed in the handwriting of a friend, a particular paragraph is marked for perusal; slowly and without interest the eyes of the reader are directed towards it, when suddenly his face is lighted up with an unusual brightness, he devours the words with eager and straining eyes, and having concluded, he sinks back upon his seat overcome, handing the newspaper to his wife, and unable to articulate more than "thank God! thank God!"

The newspaper contains an account of the confession of a Jew, a watchmaker, who had just suffered death for a burglary, and who confessed that to his heavy catalogue of crime was to be added the murder of Mrs. Malpas, Hester's aunt. He had, he stated, entered the parlour through the open window by means of a plank, resting on the garden railings, and reaching to the window, and then no traces of footsteps were left to indicate his passage. With one blow he had felled and dispatched the old lady, who was reading her prayer-book according to her custom.

We cannot conclude this part of our subject without alluding to a case, which perhaps beyond all others furnishes the most instructive lesson; it is that of Jonathan Bradford who, in the year 1736, kept an Inn on the road from London to Oxford.

A gentleman named Hayes, of independent means, on his way to visit a relation, stopped at this inn, where he met with two gentlemen, also travellers, with whom he supped, and to whom in the course of conversation he mentioned that he had about him a considerable sum of money.

Supper over, all retired to rest, the two fellow travellers in a double-bedded room, adjoining that in which Mr. Hayes slept.

In the middle of the night one of these gentlemen, being awake, heard as he thought a groan, succeeded by another and the moans of a person in extreme pain, the sounds of which appeared to issue from their neighbour's room. Having left, as was usual with them, a candle burning in the room, the gentleman awakened his companion, and both listening distinctly heard the groans repeated. They rose softly and proceeded towards Mr. Hayes' room, and finding the door ajar, and a light in the room, they entered, and were petrified with horror to see the occupant of the bed weltering in his blood, and a man armed with a knife and holding a dark lantern standing over him. The amazement and horror of the assassin, as he appeared to be, equalled their own, but his terror seemed the result of detected guilt. A moment sufficed to show the gentlemen that the murdered man was Mr. Hayes with whom they had supped, and that the other was Jonathan Bradford, their host. Him they at once seized and charged with the murder, which he strenuously denied, and averred that having been awakened by the groans of the murdered man, he had struck a light, armed himself with the knife for his own defence, and had entered the room but an instant before themselves. These protestations were unheeded, he was charged, committed for trial, tried, convicted, and hanged.

Eighteen months after a man lying on his death bed, and stung by remorse of conscience, confessed that he, and not Bradford, had murdered Mr. Hayes. This man had been Hayes' footman, had stabbed and robbed his master, and returned in safety to his own room which he could have barely reached when Bradford entered that of the murdered man.

Strange as is the story to this point the conclusion is stranger still. Bradford's innocence of the act having been thus established, the clergyman who had attended him after his sentence, considered himself at liberty to disclose that, though not an actual murderer, Bradford was one in design. He had confessed

to the clergyman, that tempted by the money which Mr. Hayes had incautiously mentioned at supper was in his possession, he had gone to the bed room of the deceased with the same wicked purpose as the servant, and thunderstruck to find that bloody purpose anticipated, he had in his terror dropped his knife upon the body, and thus stained his hands and knife with the evidences of guilt.

Cases such as this are startling instances of the far-reaching power of Providence, and the following may be considered as one of the most striking in this point of view that has ever occurred.

In the account which we have met with, fictitious names are used, but the story is a true one; and the trial was had before Lord Mansfield.

Sometime in the year 1700, there lived in a lonely part of one of the counties of England, a gentleman whom we shall call John Smith, who was possessed of some property, and who lived on his own estate. Rumour had once been busy with his fair name, and had described him in early life as a person of dissipated and irregular habits.

One summer evening a stranger was seen passing through the village near Mr. Smith's mansion, and was known to have asked and obtained a night's hospitality there. After a slight refreshment he had retired for the night in apparently perfect health, but in the morning the servant who went to call him found him a corpse. A discovery so awful and an event so sudden and calamitous, naturally excited considerable enquiry and observation, neither of which, however, led to any results. The name and calling of the deceased were alike unknown and he was at last committed to the earth, a nameless example of the uncertainty of life, and according to the verdict of the coroner's jury, of the mysterious visitation of God.

The stranger had not been, however, long laid in his obscure grave, ere rumour once more began to sport with the reputation of Mr. Smith, and hints of foul play, and violated hospitality began to circulate with some freedom. This ended in a warrant being issued for the arrest of Smith on the charge of the murder of Henry Thompson, for that it appeared was his name, the only portion of the researches of the authorities which it was at this time considered prudent to make public.

Smith was brought to trial and then, for the first time, the precise grounds of accusation against him were disclosed.

It appeared that Thompson was a jeweller residing in London, of wealth and respectability, and that he had left London, about a month before his death, to meet a Dutch trader at Hull, from whom he intended to make considerable purchases of jewellery. That he had met this man, concluded his business, and set out on his return home. From that time till his visit to Smith's house nothing was known of him, nor was there any information available as to where he had passed the intervening time. That he had been found dead, as related, in his bed in Smith's house, and that a medical examination of his exhumed remains had ascertained the fact that he had been poisoned by means of a subtle distillation produced by the German chemists from the seeds of the wild cherry-tree. It appeared further that the family of Smith consisted of himself, his housekeeper, and a man-servant, who slept invariably, and on the night of Thompson's death, in an out-house adjoining the stable. That the prisoner, Smith, slept at one end of the house and the housekeeper at the other, and that the deceased Thompson had been put into a room adjoining the housekeeper's. A witness was called who deposed that about three o'clock in the morning of the night of Thompson's death, he had been attracted by seeing lights moving in Smith's house, and on observing intently he had seen a figure holding a lighted candle, leave Smith's room and go along the house to the housekeeper's room; then two figures came out of the housekeeper's room, and disappeared for an instant, but whether into Thompson's room or not the witness could not say, as the window of Thompson's room looked a different way. In an instant the two figures reappeared, returned along the length of the house to Smith's room, which they entered, and after a few moments the light was finally extinguished there, and he saw it no more. He further stated, that during the short time for which the two figures had remained in Smith's room before finally extinguishing the light, he had twice seen a large object interpose between the window and the light, an obstruction which he described as if a door had been placed before the light, or opened so as to throw its shadow on the window. This part of the witness's evidence appeared wholly inexplicable, for on examining the prisoner's house and going through the rooms, as had been described, with a light, nothing appeared to account for the shadow he had mentioned. This constituted the entire evidence against the prisoner, except that in his house was found a bottle stopper of very peculiar kind, such as the medical

men described as being used by chemists to preserve such liquids as are likely to lose their peculiar properties by exposure to the air. There was nothing to show that the stopper had ever been in the prisoner's possession, or to connect him with it in any way. The prisoner's housekeeper had disappeared after his arrest, and no trace of her abode could be had, and this circumstance was looked on as strongly increasing the suspicion against the prisoner.

The counsel for the prosecution plainly felt the weakness of his case, and had but faint expectations of succeeding in convicting the prisoner, and at the conclusion of the evidence the judge intimated that no case had been made out and expressed his opinion to the jury, who concurred, and were about to give in a verdict of not guilty, when the prisoner begged permission to speak a few words. This leave was granted, and he proceeded to state that a mere verdict of acquittal, founded not so much on a conviction of innocence as on a doubt of guilt, would not suffice to clear his name from reproach, or to satisfy his own mind, and he earnestly besought the court to permit the case to continue and witnesses whom he could produce to be called, whose testimony would establish his innocence beyond the shadow of doubt. He went on to say, that he had all his life been subject to sudden attacks of illness at night, and that one of these had forced him to rise on the night in question to call his housekeeper to light a fire in his room. That after he had called her, he retired into the passage, while she dressed, and that thus the temporary disappearance of the light was accounted for, and that after she had lighted his fire and remained for a short time in his room, he recovered from his illness, dismissed his housekeeper and retired to bed, from which he had not risen when the intelligence of Thompson's death was brought him. He proceeded to account for the disappearance of his housekeeper by stating, that finding public prejudice so strong against him, he was fearful of attempts being made to tamper with her, and he had therefore placed her in secure concealment, but would now produce her as a witness to his innocence.

The housekeeper who, in accordance with the then general practice of excluding the witnesses in a criminal case from court during the trial, had not been present, was sent for to an adjoining house where she had been placed by the prisoner's directions at the commencement of the trial.

She was examined by the prisoner's counsel, and her story entirely corresponded with his, and she was then cross-examined by the prosecuting counsel. The latter, it subsequently appeared, had attached in his own mind, considerable importance to the fact deposed to by the witness who beheld the progress of the lights through the prisoner's house on the night of the murder, viz. :— that while the prisoner and his housekeeper were in the room of the former, a shadow like that of an open door had for a short time fallen upon the window, through which the light was visible outside. It had forcibly struck the mind of the lawyer, accustomed to the necessity of accounting for every appearance, that this shadow was that of the door of some secret closet in the prisoner's room which had escaped the vigilance of the officers, and knowing that the housekeeper was acquainted with what had passed in court, he determined to attempt, by treating the point as immaterial, to draw from her some admission with reference to this particular matter. Accordingly, in an unconcerned tone, he asks :—

“ During the time you were in Mr. Smith's room you stated that the candle stood on the table in the centre of the room ? ”

—“ Yes.”

“ Was the closet, or cupboard, or whatever you call it, opened once, or twice, while it stood there ? ”—No reply.

“ I will call it to your recollection : after Mr. Smith had taken the medicine out of the closet, did he shut the door or did it remain open.”—“ He shut it.”

“ Then it was opened again for the purpose of replacing the bottle, was it ? ”—“ It was.”

“ Do you recollect how long it was open the last time ? ”—

“ Not above a minute.”

“ The door, when open, would be exactly between the light and the window, would it not ? ”—“ It would.”

“ I forget whether you said the closet was at the right or left hand side of the window ? ”—“ The left.”

“ Would the door of the closet make any noise in opening ? ”—“ None.”

“ Can you speak positively to that fact ? Have you ever opened it yourself, or have you only seen Mr. Smith open it ? ”—“ I never opened it myself.”

“ Did you never keep the key ? ”—“ Never.”

“ Who did ? ”—“ Mr. Smith, always.”

At this juncture, the witness happened to turn her eyes on the prisoner, and one glance sufficed to shew her that her evidence had been crushing him. His appearance was of death; and horrified at the result of her involuntary disclosures, she uttered a wild shriek and fainted away. The court was adjourned, and it was late in the evening, before the housekeeper was in a fit state to undergo further examination, which thus proceeded:—

“I have very few more questions to ask of you, but beware that you answer them truly, for your own life hangs by a thread. Do you know this stopper?”—“I do.”

“To whom does it belong?”—“To Mr. Smith.”

“When did you see it last?”—“On the night of Mr. Thompson’s death.”

Just then the solicitor for the prosecution entered court, carrying upon a tray, a watch, two bags containing money, a pocket-book, and a bottle, similar in manufacture to the stopper, and the contents now secured with a cork. During the interval afforded by the adjournment of the court, the solicitor for the prosecution had set off on horseback, in company with an officer, to the prisoner’s house, and guided by the testimony of the housekeeper, succeeded, after considerable searching, in discovering the closet, the door of which was most ingeniously concealed in the wall.

In this closet were found the watch, money, and pocket-book, which were proved to have belonged to Thompson, and the contents of the bottle, into which the stopper fitted accurately, were found to consist of a deadly poison, similar in every respect to that which, according to the medical evidence, had caused the death of the murdered man. The prisoner’s guilt was thus rendered conclusive by the very instrument used and intended by him to make his innocence clear.

It is difficult to know which to admire and reverence most, the mode in which Providence thus uses the most tortuous and deceitful acts of men as the means of eliciting truth, or the awful solemn silence with which it occasionally regards their crimes, leaving the lifting of the veil to that final hour of judgment, when every secret shall be revealed, and concealment and mystery shall be no more.

So murder will not always out, and so the slayer of William Begbie “slept in spite of thunder,” and carried the secret of his guilt with him to the grave.

In the year 1806, the British Linen Company occupied for

the banking part of their business a large house in the old town of Edinburgh. This house had formerly belonged to the Marquis of Tweeddale, and was situated within a spacious court, which was connected with the street by a narrow covered passage, about forty feet long, and known as Tweeddale's close.

About five o'clock on the evening of the 13th of November, 1806, a little girl, sent by her mother to procure water from a neighbouring well, stumbled in the obscure light over the body of a man lying at the point of death, near the foot of the public stair, which opened into the close. Assistance was procured, and the man raised up, and he proved to be one William Begbie, a porter employed at the bank, and in his heart was found buried deep up to the haft, a long knife, making a wound which caused his death before he was enabled to speak a word, to those who came to his assistance, to account for the catastrophe.

The blow had indeed been struck home, with fatal force and deliberation, and round the handle had been wrapped some soft paper, to prevent, as was conjectured, any sprinkling of blood from reaching the person of the murderer. Begbie had been robbed, it was discovered, of about £4,400, in notes and gold.

All the efforts made, and they were numerous and persevering, to discover the assassin, wholly failed, and though several were arrested on suspicion, sufficient evidence to justify the trial of any one could not be collected.

Nearly a year after, some workmen returning from labor, passing through Bellevue grounds, in the neighbourhood of the city, found in a hole, a parcel containing about £3,000 in large notes, a portion of those stolen from Begbie.

These they restored to the company, who rewarded them with £200, but the circumstance threw no light upon the dark tragedy, nor has the lapse of time since done anything more to clear up the mystery.

In the ordinary course of nature, the murderer of Begbie has probably by this time passed to his account. Fifty-one years, if he still survive, must have bent his form and wrinkled his brow, and stolen from him much of that vigor and strength which filled his arm when with such unerring force he drove the instrument of death into the heart of his victim. Should he still live, with what feelings must he have recently read in the public papers the account of the murder of Mr. Little, in our own city.

Like Begbie, Little was deprived of life in the midst of a populous city at the close of day, and while men were still in motion to and fro upon their affairs.

Like Begbie he was, when murdered, engaged upon the business, and having the custody of the money of a public company. Like Begbie he was deprived of life for the sake of that money, and the same obscurity which enveloped in its friendly shade the person of Begbie's assassin, long shrouded in a like impenetrable gloom the murderer of Little.

Then there are the undiscovered murderers of Lord Norbury and of Mrs. Kelly ; but one day a measure of justice shall be meted to these two ; one day they shall stand together before a Judge who can neither be deceived nor intimidated, and once again they shall, each of them, look on the face of those whom thus ruthlessly and barbarously, without a warning word, they "sent to their account with all their imperfections on their heads."

Till that day come, men must be content to bow to a superior intelligence, and to acknowledge the limited scope of human foresight and knowledge. Would that this acknowledgment were more frequently and sincerely made, to temper the zeal and moderate the haste of public prosecutors ; to cool the judgment and clear the vision of all those in whose hands are placed the awful trust and responsibility of disposing of human life, and to hold up between the accuser and accused the tremendous balance of the scales of justice.

The difficulties of thus balancing the scales may be learned from the following passages of Mr. Commissioner Phillips' essay. He writes :—

"By the law of the anti-abolitionists murder is still a capital offence. Let us see what that very law has done, and then the reader may designate it as it deserves. Let us see whether Mr. Livingstone was justified in asserting that innocent persons had been executed. The details are horrible, but they imperatively demand the solemn consideration of every man in England. We commence at a very distant period, because we would shew how early has been our warning, and how protracted our disregard of it ; but the list shall extend even to the day in which we live.

To begin :—On the 6th day of August, 1660, William Harrison, who was steward to Lady Campden, a person of good estate in Gloucestershire, left his home in order to collect her rents. There happened to reside in the neighbourhood, an humble family of the name of Perry, a mother and two sons,—Joan, John, and Richard,—of whom Joan, the mother, was a reputed witch, and John, one of the sons, was known to be half-witted. It so happened that days and weeks elapsed and yet Harrison returned not, nor were any tidings heard of him. Of course the population of the place became excited,

and rumours were rife that he had been robbed and murdered. From the mission on which he was known to have left his home, and his prolonged absence, the suspicion was not unnatural. The alarm which ensued, and the numberless inventions which were circulated, are supposed to have bewildered what little intellect the poor idiot had; for he actually went before a justice and solemnly deposed to the murder of Harrison, by his brother Richard, while his mother and himself looked on, and afterwards joined in robbing the deceased of £140. On this the whole three were sent to prison, and at the ensuing assizes were doubly indicted for the robbery and murder. The presiding Judge, Sir C. Turner, refused to try them on the murder indictment, as the body had not been found; they were, however, arraigned on the charge of robbery, and pleaded guilty on some vague supposition that their lives would be spared. While in confinement John persisted in the charge, adding that his mother and brother had attempted to poison him, in the gaol, for peaching. When the next assizes came, Sir Robert Hyde, considering the length of time which had elapsed, and the non-appearance of Harrison, tried them for the murder. The depositions of John, and the plea on the indictment for robbery, were given in evidence, and the whole three were forthwith convicted. On the trial John retracted his accusation, declaring that he was mad when he made it, and knew not what he said. They all suffered death; the mother was executed first, it being alleged that having bewitched her sons, they never would confess while she was living; they both died, however, loudly protesting their innocence. But the disappearance of Harrison, the declarations of John, and the plea of "guilty" to the indictment for the robbery, seemed to invest the case with every human certainty. Human certainty! we might as well talk of an incarnate phantom:—the only certainty in the whole transaction being, that three innocent persons—quite as guiltless as the Judge who tried them—or the jury which convicted them—were slaughtered by what they call the sword of justice. This poor, ignorant, deluded family, had for three full years lain in a murderer's grave, when—lo, the murdered Harrison *re-appeared in Gloucester!* He accounted for his absence thus, in a letter to Sir Thomas Overbury:—On returning after the receipt of Lady Campden's rents, he was set upon by a gang, who forced him to the sea-shore, where they hurried him on ship board, and carried him off to Turkey; they there sold him as a slave to a physician, with whom he lived for nearly two years, when, his master dying, he made his escape in a Hamburg vessel to Lisbon, and was thence conveyed to England. Gloucester was thrown into the most painful agitation; no great wonder,—their city had been desecrated. What must have been the feelings of the Jury which convicted, of the Judge who sentenced, of the authorities who executed that hapless family! Yet the blame was not theirs: poor, fallible, benighted creatures, they were not responsible; they were but the blundering administrators of an arrogant and erring legislation. "He," as Sir William Meredith truly told the Parliament of 1777, "he who frames the bloody law, is answerable for the blood which is shed under it." From the grave of the Perrys, a monitory voice should have arisen,

repealing for ever capital punishments in England. We have heard it said in relation to this case, "Oh, the times were unenlightened, and the jury made a mistake; the wisest men may sometimes make a mistake." Unenlightened times! There were men in those days out of each of whom, whether in poetry, philosophy, or statesmanship, half a dozen modern great men might have been carved—Legislation indeed was barbarous, and continued so. Fifty-six years after the slaughter of the Perrys, Judge Powel at Huntingdon, left Mary Hickes, and her little daughter Elizabeth, *eleven years old*, to die for witchcraft, and die for it they did. As to the mistake—on that we found our argument: it is precisely because we may make a mistake that we should revolt at risking one which is irreparable. We have made mistakes enough, and for a time we even fostered them by the promise of reward upon conviction; miscreants tempted by the "pieces of silver," counted their blood-money upon the coffins of their victims. The foulest accusation, supported by perjury as foul, often proved fatally successful, bewildering the juries into the most terrible injustice. For instance:—

A poor man, named Kidden, a porter in the city, was tried, convicted, and executed at the Old Bailey, on a charge of highway robbery; the man was hard-working and honest, and of untainted character, but all could not save him from an untimely death; his life was perjured away by three atrocious wretches, named Macdaniel, Berry, and Jones, who shared £40 amongst them for the murder of poor Kidden; he was hanged, however,—and it must have solaced him,—according to the most approved forms of the law. When this sad tragedy had been enacted, it appeared that the victim was entirely innocent. Then came the glorious opportunity—the grand legal expiatory triumph! As Kidden had been slaughtered by mistake, they determined on giving him perfect satisfaction, by hanging, in return, the three who hanged him—a kind of criminal set-off. The conspirators, however, were tried, convicted, and sentenced for the murder, but executed they were not; a flaw in the indictment let them loose upon society. The murder indictment of those days, which has been consigned by Lord Campbell to the museums of the curious, was a miracle of suicidal ingenuity—never before, nor since, did the spiders of special pleading weave a more complicated or defective cobweb. The liberated felons continued to pursue their dreadful traffic, with what success we know not; they were, however, once more detected, and convicted of a similar conspiracy against human life; exposure on the pillory, and seven years' imprisonment seem to have terminated their career. Kidden was executed in 1755. Notwithstanding this frightful admonition, the reward temptation was still in full play so recently as 1819, about which time it was abolished through the exertion of Sir Matthew Wood, a magistrate than whom the city of London has seldom seen a better. Four poor Irishmen were rescued from certain death by this excellent man, who proved clearly that they were the innocent victims of a cruel conspiracy, at the head of which was one Vaughan, an officer of the city. The case was called "the blood-money case," and is still remembered for its remorseless atrocity."

"We now turn to a most melancholy case which happened in this metropolis, and in our own time. Many remain who, doubtless, recollect it. We refer to it with pain because associated with early days long gone, but never to be forgotten. Who has not heard of poor Eliza Fenning? How often have we hung upon the words of Curran, while he discoursed and dwelt incessantly on her fate! What tears of burning indignation did he shed! With what eloquent wroth did he denounce her condemnation. Thousands upon thousands wept along with him, and a kindred spirit, noble as his own, echoed that indignation.

We transcribe the leading incidents of the trial from a manuscript of Romilly's, too much condensed perhaps, but faithful in its outline, and unquestionably accurate. Eliza Fenning was a servant girl, very young and very beautiful, living in Chancery Lane. She was but seventeen years of age. The charge against her was that of having administered poison to her master and his family. The poison was alleged to have been contained in some dumplings she had cooked for dinner. The evidence was entirely circumstantial, and no adequate motive could be assigned for such a deed. One piece of evidence on the trial should, had it stood alone, have secured her acquittal:—she ate as heartily of the dumplings as any of the party, and was quite as ill as any of those whom she was charged with endeavouring to poison! In addition to this, she had left the dish unwashed, which furnished the only proof of the presence of the arsenic. It remained all night in the kitchen, and was found next day exactly in the same condition in which it had left the parlour. In such a state of things one would have supposed a conviction impossible. "But," says Sir Samuel Romilly, "the Recorder appeared to have conceived a strong prejudice against the prisoner; in summing up the evidence he made some very unjust and unfounded observations to her disadvantage, and she was convicted." Words of dreadful import, falling from such authority! A "strong prejudice against the prisoner,—very unjust and unfounded observations to her disadvantage;" and from a Judge—a British Judge—and this is a case involving human life! It is impossible to convey a more terrible imputation, unless indeed it be another in this very case. Petitions signed not by hundreds but by thousands, besought the throne for mercy. Application was made to the prosecutor for his signature—the Judge dissuaded him!! Can this be possible? Is it in human nature? Could such a man have filled the office with which, filled as it is now, dignity, and justice, and mercy are associated? Of our own knowledge we speak not—we give the statement simply as we find it in the words of Sir Samuel Romilly, published under the authority of his sons. That there may be no mistake we give the very words of Romilly, as we find them reported from his manuscript:—"The master of the girl was requested to sign a petition in her behalf; but, at the instance of the Recorder, he refused to sign it." Sir Samuel calls this "savage conduct," and well indeed he might, if he believed it. All intercession was fruitless, and Eliza Fenning was executed at the age of seventeen. She mildly asserted her innocence to the last, and prayed

to God, some day, to make it manifest. When the religious ceremonies were over, the sad procession moved onwards towards the scaffold; as the last door was opening which still concealed her from the public gaze, Mr. Cotton, the Ordinary, made a final effort—"Eliza, have you nothing more to say to me?" It was an awful moment, but her last words in this world were—"Before the Just and Almighty God, and by the faith of the holy sacrament I have taken, I am innocent of the offence with which I am charged." The door then opened, and she stood, robed in white, before the people. Two old men were executed with her, "and," says a bystander, "as all three stood under the beam, beneath the sun, she looked serene as an angel." The stormy multitude was hushed at once, and while every eye wept, and every tongue prayed for her, she passed into eternity. Poor Eliza Fenning! so young, so fair, so innocent, so sacrificed! cut down even in thy morning, with all life's brightness only in its dawn!—little did it profit thee that a city mourned over thy early grave, and that the most eloquent of men did justice to thy memory!

When the curtain had fallen upon this tragedy, the fury of the people knew no bounds, and the house of the prosecutor was only protected by the presence of a considerable civil force. But her enemies were active also—the sanctity of the grave was not inviolate; they impeached the purity of her previous life—the life of a girl scarcely seventeen! and a prison official actually made a solemn affidavit, that *in his presence!* her father earnestly implored her to deny her guilt when led out to execution!! It was hardly necessary to contradict so suicidal an accusation; but nevertheless, the father did so, also by affidavit. The temper of the times was such that nothing could prevent a popular demonstration at the funeral, and a mournful and striking one it must have been. The broken-hearted parents led the way followed by six young females clad in white, and then by eight chief mourners. At least ten thousand persons accompanied the hearse, and thus, every window filled, and every housetop crowded, they reached the cemetery of St. George the Martyr. There have mouldered ever since, all that remains of the young, and after all, the innocent Eliza Fenning, the victim of erring legislation, and of foul individual injustice. After her conviction, and while the error was reparable, Sir Samuel Romilly states that "an offer was made to prove that there was in the house when the transaction took place, a person who had laboured a short time before under mental derangement, and in that state he had declared his fears that he should destroy himself and his family; but all this was unavailing, and she was executed." In all probability this scandal might have been avoided, but for the culpable indifference which prevailed; it was this wretched creature who committed the crime; stung by remorse and misery he admitted it on his death-bed.

Instances have occurred too of mistaken identity, where honest witnesses, intent on the truth, have sacrificed the innocent. A cele-

brated case of this kind is that of the *Courier of Lyons*.* A gentleman named Joseph Lesurques, who had been an officer in the army, removed from his native province to Paris for the education of his children. His character was irreproachable, and he possessed an income of ten thousand francs a-year, moderate, but sufficient for his simple wants. During his residence in the metropolis, the murder of the courier was planned and perpetrated by six conspirators with whom Lesurques had not even an acquaintance, and yet for whose atrocities he suffered. It so happened that a provincial friend, named Guesno, on repaying Lesurques a previous loan, invited him to breakfast on the next day, and at the same table sat Curiol, one of the assassins, whom Lesurques there saw for the first time, being the only one of them he ever saw at all. Yet this occurrence, happening four days after the murder, was made a prominent feature at the trial! It indeed was true, but it was the only truth proved against the victim. At this time Guesno visited Chateau-Thierry on business, and in the house where he stopped was Curiol, who alarmed at the noise which the murder made in Paris, had retired there for safety. There Curiol, Guesno, and the landlord were arrested, but, on the examination of their papers, were at once released, with the exception of Curiol. Guesno's papers had, however, been remitted to the central office, and thither as ordered, he repaired next day, to receive them. On his way there he met the ill-fated Lesurques, who consented to accompany him. The *Juge-de-paix* not having arrived, the two friends sat down in the ante-chamber. On his arrival he was thunderstruck with information that two female witnesses from the country declared that two of the actual murderers were in the house. "Impossible! (naturally enough exclaimed the magistrate) guilty men would never voluntarily venture here!" To do this functionary justice, he seems calmly and impartially to have investigated the case. He had the women separately examined. He solemnly warned them that life or death might wait upon their answers. He had the accused brought before their accusers one by one. But the witnesses, consistent and clear, persisted in their statement, and a committal followed. Seven persons were put upon their trial, amongst whom were Curiol, Madeleine Breban, his mistress, Lesurques, and Guesno. Lesurques was sworn to most positively by several, as being one of the party, at different places on the road, on the day of the robbery and murder. It should be borne in mind the case was quite conclusive against Curiol. "I attended them (said one witness) at dinner at Montgeron; this one (Lesurques) wanted to pay the bill in assignats, but the tall, dark one (Curiol,) paid it in silver." A stable-boy at Montgeron also identified him. A woman named Alfroy, a florist at Lieursant, and the innkeeper and his wife at the same place, all recognised him as of the party there.—At neither place Lesurques declared had he been present. But the witnesses were positive, were unimpeached, were believed and were mistaken. Lesurques and Curiol were convicted. Guesno,

* The melo-drama called the *Courier of Lyons*, frequently represented in Dublin at the Queen's Theatre is founded on this case; some of our readers will remember the admirable acting of Mr. Stirling as Duboscq and Lesurques.

though sworn to positively, proved his perfect innocence and was acquitted. Lesurques called fifteen persons of probity to prove an alibi, which was disbelieved in consequence of the folly of one of them, and eighty of all classes declared his character to be irreproachable. When sentence was pronounced, rising from his place, he calmly said—"I am innocent of the crime imputed to me. Ah, citizens! if murder on the highway be atrocious, to execute an innocent man is not less a crime." Madeleine Breban, though compromising herself, wildly exclaimed—"Lesurques is innocent—he is the victim of his faithful likeness to Dubosq." Curiol then addressed the Judges,—"I am guilty—I own my crime—but—Lesurques is innocent." He afterwards wrote to them from his prison—"I never knew Lesurques; the resemblance to Dubosq has deceived the witnesses." Proceeding to the place of execution, over and over again, he cried out to the people—"I am guilty, but Lesurques is innocent." After the sentence had been pronounced, the horror-stricken Madeleine again presented herself before the Judges to reiterate her declaration, and two other witnesses attested to her having told them so *before the trial*. The Judges applied to the Directory for a reprieve; and the Directory applied to the Council of Five Hundred, requesting instructions for their further guidance, and concluding with the emphatic question,—“Ought Lesurques to die on the scaffold because he resembles a criminal?” The answer was prompt—"The jury had legally sentenced the accused, and the right of pardon had been abolished." The enlightened advocates of "Liberty and Equality," while they usurped the prerogative of vengeance, repudiated that of mercy! Left to his fate, poor Lesurques on the morning of his execution thus wrote to his wife—"My dear friend, we cannot avoid our fate. I shall, at any rate, endure it with the courage which becomes a man. I send some locks of my hair. When my children are older, divide it with them. It is the only thing that I can leave them." Curiol had disclosed to Lesurques the history of Dubosq, and the fatal mistake which had been made, and accordingly on the eve of his death, he had the following mournful letter inserted in the journals. "Man, in whose place I am to die, be satisfied with the sacrifice of my life; if you be ever brought to justice, think of my three children covered with shame, and of their mother's despair, and do not prolong the misfortunes of so fatal a resemblance."—This wretch was subsequently arrested, tried, and executed for the murder on the 22d of February, 1802. He had in early years been sentenced to the galleys for life for stealing the plate of the Archbishop of Besançon, but he broke prison and escaped. On four occasions subsequently, apprehended for various robberies, he each time broke prison, and had been free only a few weeks when he aided in the murder of the courier of Lyons. The hardened criminal denied everything, but the jury unanimously convicted him, and the last of the accomplices, executed soon after, confirmed the declarations of Curiol, Breban, and Duresbat by the following paper:—"I declare that the man named Lesurques is innocent: but this declaration, which I give to my confessor, is not to be published until six months after my death." The Judge

de Paix also, struck with remorse for having committed Lesurques, (though in so doing he only did his duty,) sparing neither time nor money in the investigation of the facts, thus terminated a memorial to the government for a revision of the sentence:—"The Calases, the Sirvens, and all the others for whom the justice of our sovereigns had ordered a like revision, had none of them had such presumptions in their favour as the unhappy Lesurques." All was in vain. Lesurques—the guiltless Lesurques died on the scaffold, *the victim of a resemblance*. His widow's sorrows terminated in October, 1842, the eldest son having previously fallen in battle, a soldier in the French army.

The case of John Calas, incidentally alluded to in the memorial of the Juge de Paix, was another instance of recorded butchery; but scarcely needs more than the allusion, its narrative having attained a European notoriety through the noble interference of Voltaire. This poor old man, who had brought up his family in credit, and was remarkable for the affection he bestowed on them, was accused of the murder of the son he loved, and who it was subsequently shewn had committed suicide. At the age of seventy he was racked with cruel tortures, and broken on the wheel. As he stood writhing on the scaffold, he was thus addressed by a monster, misnamed a magistrate, who exulted in his agonies—"Wretch, *confess your crime*—behold the faggots which are to consume your body." The poor old father had nothing to declare save that he was about being murdered in the name—the two oft desecrated name of justice. When the judicial mockery was over, and the wheel and the stake had done their dreadful work, the sentence was annulled,—*Calas and his family were proclaimed innocent*,—the attorney-general was ordered to indict his prosecutors, and a subscription was set on foot for the survivors. This interference, which cost him time and trouble and money, is creditable to Voltaire:—it was a redeeming deed, and worthy of a purer faith than that which he acknowledged. We subjoin with pleasure the letter appropriately addressed to him on the occasion by the great Sovereign who had abolished the punishment of death throughout her empire.

SIR,—The brightness of the northern star is a mere *Aurora Borealis*—but the private man, who is an advocate for the rights of nature, and a defender of oppressed innocence, will immortalize his name. You have attacked the great enemies of true religion and science—fanaticism, ignorance, and chicanery: may your victory be complete. You desire some small relief for the family. I should be better pleased if my enclosed bill of exchange could pass unknown; but, if you think my name, unharmonious as it is, may be of use to the cause, I leave it to your discretion.

CATHERINE.

We have above recorded a case in France of a man losing his life because he was guilty of a likeness! Such cases are not confined to France. Here is one—out of many—taken from our own criminal courts. Thomas Geddeley, was waiter in a public house at York, kept by a Mrs. Williams. Her desk was broken open and rifled, and

tested his innocence, and he communicated facts to the then Governor of Newgate, which impressed him with the belief that the young man was innocent, and he begged me to see him. I heard the young man's statement, and commenced a minute inquiry into the circumstances, and I was at last fully satisfied that he was innocent. I consequently memorialized the Secretary of State; but it was not without great difficulty I procured his pardon, after he had been in Newgate ten months, under sentence of death." This is a striking case, indeed, from the circumstance that the guiltless convict owed his pardon to the Solicitor employed to prosecute him. But it was every way characteristic of Mr. Harmer, than whom a kinder-hearted man never existed. Doubtless he was stimulated to this exertion, by the recollection of a mournful case in which he had been concerned for the prisoners. He does not specify the offence, but murder it must have been, because in no other did execution follow so soon upon conviction. "I remember," said he, "a case, where, in a little more than forty-eight hours, enough could have been shown to justify a suspension of the judgment, but the *men were executed before I had time to investigate*. Directly I began to make enquiries, fact upon fact was developed, which would not only have justified a suspension of punishment, but would doubtless have obtained *for the unfortunate men a free pardon!!*" How appalling! how horrible is this! This cold-blooded system of speedy execution was at last abolished, through the exertions of the late excellent Mr. Aglionby, in the year 1836. It saved England from a further injustice. In the very first case of murder which was tried after the Act passed, an innocent man was convicted at Exeter. It having being clearly proved, during the protracted interval allowed for investigation, that a mistake had been made as to the man's identity, his life was spared! But well was Mr. Harmer warranted in saying that time for enquiry should be granted; for what says even a more competent authority, at least, during the period of which he speaks?

"I think," said Sheriff Wilde in his examination in 1836, "many innocent persons have suffered; I think that if the documents at the Home Office are examined, many instances will be found, in which, by the exertions of former sheriffs, the lives of many persons ordered for execution have been saved." He was well authorized to say so. This most estimable gentleman is still alive, so we may not speak of him as we sincerely feel; but we shall chronicle his acts—they are his best eulogy. During the seven months of Mr. Wild's shrievalty, he *saved the lives of six innocent persons who had been actually ordered for execution!!* The records and the documents are at the Home Office. The first case was that of Anderson and Morris, accused of robbery with violence. The prosecutor stated that he met a woman who took him to a house in Westminster, where he was robbed and brutally treated by the two prisoners. They declared their innocence, and a woman, who with some difficulty made her way into court, fully bore them out. She swore that she cohabited with Morris, and having met the prosecutor, she took him to Morris's house, who returning and finding a man there, he kicked him into the streets, and that was the whole of

the transaction. Knowlys, the Recorder, said Mr. Wilde, took "a strong impression" from what had passed, *against* the prisoners, and after a short address from him, they were convicted, and finally ordered for execution. Providentially for the prisoners, Knowlys' "strong impression" urged him onward; he called the witness Hannah Morris up, told her she was "a bad, corrupt woman," and consigned her to the dock, to be prosecuted for perjury! Now the humane Sheriff, who heard the trial, had "a strong impression" also—*he believed the witness*; when therefore he found that the wretched men were actually ordered for execution, he hastened to Sir Robert Peel, who, as usual, devoted himself to the cause. It appeared the prosecutor, at the police office, only accused the prisoners of a common assault! the robbery—the capital part—was entirely an after-thought; it was, however, a case which gave Mr. Wilde much trouble; need we say, much anxiety also? It was not until the day of their execution was near its dawn that the reprieve was granted. At dark midnight, when on their knees, expecting the fatal approach of the official to warn them that their hour was come, mercy's own messenger appeared with the assurance of their safety—it was as the angel's visit, and their chains fell off and they were free—they were wholly pardoned. The prosecutor never dared even to shew his face on the trial of Hannah Morris. All this was not effected without the greatest difficulty, indeed he generously awards to others a share of his own deserts: "If I had not had the assistance," said he, "of Mr. Wontner, the governor of the prison, and of his deputy, Mr. Barrett, the facts and circumstances establishing the innocence of these prisoners, would never have been made to appear."

The next is a case so monstrous that is difficult of credence; still it is true. At a time when juries, aghast at the frequent executions for forgery, insisted upon such strictness of proof as to make conviction almost impossible, and acquitting, very often where the proof was perfect, a man named Smith pleaded guilty to the charge. All remonstrance was lost on him; his friends in vain advised him; in vain the Judge urged him to take his trial; he persisted in his plea, and sentence of death was passed on him. In due time he was ordered for execution; the condemned sermon was actually preached. In such a crisis the indefatigable Sheriff was appealed to, by a respectable tradesman of Cornhill, the prisoner's relative. He proceeded to the dreadful cell of the condemned, with a heavy heart, because apparently on a hopeless mission. There, however, he heard the explanation of his plea—the frightful explanation! His case was instituted by the Bankers' Committee. Some short time before the sessions, their solicitor authorized Mr. Cope, then city marshal, to assure Smith that if he pleaded guilty, his life should be saved. He did so relying on that promise, and now behold him on his truckle bed, within four days of his execution. The Sheriff, scarcely crediting his senses, hurried to the Home Office, and there, as usual, was met by the prompt humanity of Sir Robert Peel. The Minister, as much astounded as the Sheriff, at once solicited the aid of Lord Lyndhurst, then Lord Chancellor—a rare combination. A

most vigilant investigation instantly ensued; prosecutor, solicitor, city marshal, and others, were summoned to the Lord Chancellor's private room at the House of Lords, and underwent a strict examination. The Sheriff's narrative was true. The life of Smith was saved. This awful detail is on record at the Home Office, and, reader, this occurred in the metropolis of England and in the nineteenth century!

The third case was one of two poor men—humble, destitute Irishmen—convicted, on circumstantial evidence, of a revolting crime. On a patient scrutiny at the Home Office, the prosecution was shewn to have been the result of a conspiracy. This appeared, partly by the improbability of the prosecutor's story, and partly by direct evidence submitted to the Secretary of State. The men's lives were saved, and, says the Sheriff, "I had no doubt of their innocence." The last case was that of a man named Brown, capitally convicted of robbery, and left for execution. He was saved; but not, says the generous Sheriff, ever seeking to despoil himself of the meed of his humanity, "until his master, Mr. Lingham, a wine-merchant, had been exerting himself for many days, to procure a remission of the sentence." Here, then, were the lives of six of his fellow creatures saved, through the instrumentality of one noble-minded man, in little more than the moiety of a shrievalty. Brief, indeed, is the interval between the order for execution and the execution itself; and there can be no doubt whatever, that every one of these unfortunates must have perished ignominiously, had it not been for the incredible efforts of Mr. Wilde, and the facilities afforded to him officially. We call attention to these cases especially, because they are not generally known, and because there can be nothing apocryphal about them. We call attention to them also, for another most important reason, namely, that with all our care, and all our precaution, we are just as likely to be wrong as right.

These facts, black, melancholy facts, are sufficient to prove, if proof were necessary, that juries have been occasionally unconscious murderers. But why should they be murderers at all? Why should life be taken for life?

Men, to enjoy the benefits of society, have deprived themselves of some of their natural privileges and enjoyments, and because social were deemed preferable to natural rights, have they consented to the exchange. On this implied contract governments are instituted, and laws are formed, which deprive transgressors of their estate and liberty. And why is not life surrendered among the other things which make it estimable? We think, for the plainest reason, that the abdication of natural for the enjoyment of social rights, implies a greater good to the surrenderer; and as life is itself the greatest gift of Heaven to man, nothing

can be returned as an equivalent for its forfeiture. Would the parent consent to sacrifice the life of the child that prattles on his knee, or enter into stipulations which would take away his own? It is preposterous to believe it.

As it has never been contended on the authority of Divine revelation that man can kill himself, so we may contend that he cannot delegate that power to another.

The advocates of capital punishment rely upon a text in Genesis which has this language:—"Whosoever shall shed man's blood, his blood shall be shed: for man was made to the image of God."* But to maintain the idea of an *injunction* in the passage, they are driven to the most monstrous contradictions. All who endeavour to sustain this notion, admit the justice of a division in homicide and the propriety of a power to pardon. But should not they who pertinaciously adhere to the text as containing an inflexible *command*, lay aside that squeamish sense of justice with which they charge others, and proclaim "blood for blood," in the sanguinary temper of the *lex talionis*, and of our vindictive aborigines? To obviate the imputation of inconsistency, can they adopt any other sentiments? The text delegates no privilege of creating such offences as manslaughter and murder in the second degree; and as its strict apparent meaning is taken in one part, why not in every part? The prerogative of pardon too, as a prerogative too merciful for the law of God, should be discarded as inimical to its letter and its spirit.

These are the cruel consequences to which such an interpretation of the passage would inevitably conduct us. But, with becoming reverence on this subject, let us rescue the Deity from a charge altogether unworthy His divinity and character.

Fratricide is the horrible species of murder first recorded in the Bible, and under circumstances of the most aggravated description. Cain, from a sentiment of jealousy, slew the pious Abel, in the absence of every thing like personal provocation. Filled with the consciousness of his diabolical turpitude as well as merited vengeance, and in anticipation of certain death, he exclaims, "Behold thou dost cast me out this day from the face of the earth, and I shall be hid-

* 9 Genesis, 6.

den from thy face, and I shall be a vagabond and a fugitive on the earth : every one, therefore, that findeth me, shall kill me."* But was he hanged, broken, or beheaded ? No, neither ; but vengeance seven-fold was denounced against his murderer ; he was driven from society, and the curse of Heaven blasted his hopes.

Another murder is mentioned in the same book, under circumstances, it would seem, of even greater atrocity. "And Lamech said to his wives, Ada and Sella : Hear my voice, ye wives of Lamech, hearken to my speech : for I have slain a man to the wounding of myself, and a stripling to my own bruising. Seven-fold vengeance shall be taken for Cain : but for Lamech seventy times seven-fold."†

Is it possible that, when such examples as these are presented in holy writ, scepticism will rear her dastardly head—that Providence can be supposed unstable in his dispensations ;—and that Noah and his descendants should be commanded to act in opposition to a promulged and confirmed decree ?

But it is not a *command* ; nor could it be without interfering with the expressed wishes of the Deity. It is plainly so far from being imperative in the translation, that it amounts to nothing but a prediction. The expression *shall be shed*, being only in the future indicative, cannot *enjoin*, for *will be shed* might be substituted without doing any injury to the original Hebrew. And taken in this light, (as prescience and not an injunction) which is surely correct, the preceding verse will abundantly corroborate the foregoing examples of punishment by the Deity himself, and prove to be a reference to Cain and Abel ; for it is said, "at the hand of every man's brother will I require the life of man." It is well known that Noah and his family were the only human beings who survived the general wreck of the world, at the deluge. Eight individuals alone remained of numerous and dense nations ; and immediately after the dispersion of the waters, they were told to be "fruitful and multiply, and replenish the earth." Then say that heavy denunciations were proclaimed against those who, by the destruction of life, stopped the increase. Say that offended heaven

* 4 Genesis, 14.

† 4 Genesis, 23-24.

would wither the impious hand which was raised against a brother, but say not that the proscription of life was consistent with the population of the world.

But further : in obedience to the law of Moses, the Jews condemned the adulterer, in common with the murderer, to death. For both they had equal authority to kill, as both were heinous offences. But our laws discard the notion, and deny the right, to inflict death for the former transgression of the moral law. And this difference, very probably, is ascribable to the example of Christ, who did not acknowledge the validity of the Mosaic canon when he desired the innocent to throw the first stone at the woman caught in the act of adultery, and eventually pardoned her. Does not his conduct, on this occasion, convey a severe reprehension to those laws of *erring* man which take life ? It is conclusive, too, that his denial of death to the woman who had committed adultery, would have been extended to her, though guilty of murder, from the circumstances, 1st, of their being involved in the same punishment by the Jewish Pentateuch, and, 2nd, that the murderer was sinilarly treated in the beginning.

Did he distinguish between the municipal regulations of the Israelites, and the commandments given in the infancy and comparative purity of mankind ? He said in reference to the laws of Moses, in almost so many words, the reasons which urged their institution do not remain ; darkness and cruelty then were necessary, which my dispensation will convert into mildness and light. Those rules of action, established in the infancy of the world, shall constitute a part of the system which I have come to form. Are not these comprised in the remarkable words : " He saith to them : Because Moses, by reason of the hardness of your hearts, permitted you to put away your wives : but from the beginning it was not so ? " *

Talk not of the Messiah's saying to Peter, " Put up again thy sword into its place, for all that take the sword *shall perish* with the sword." This is a *commandment* tantamount to that supposed to be given to Noah ; for the original Greek makes nothing about it obligatory or imperative. It palpably amounts only to a recognition of the

* Matthew, ch. xix., verse 8.

principle of self-preservation, which is the first law of our nature. And his express declaration that he came to save men's lives and not to destroy them, is at once full and to the point as to the divine illegality of Christian governments permitting the infliction of death.

Notwithstanding these, and perhaps better reasons that might be given for the want of a delegated right to take existence, with the infatuation of hoary prejudice still we hug the darling delusion which hurries our fellow creatures into the presence of an Omniscent God. Are they unprepared for the transition? How horrible! And the admission that they are fit to join the sacred choir of "angels and the just made perfect," in regions of beatific purity, precipitates us into the strangest absurdity. Will it be said that he, who was too base to live on earth, is qualified for a residence in heaven?

There is a natural unwillingness in juries to convict in very many cases of murder. Years ago, when the statute book was all "one red," juries perjured themselves to save the prisoner: hear Mr. Phillips:—

Bentham, the great and venerable jurist, undervalued by an age of which he was in advance, suggested the results of legislation such as this. "The mildness of the national character," says he, "is in contradiction to the laws, and, as might be expected, it is that which triumphs. The laws are eluded, pardons are multiplied, offences are overlooked, testimony is excluded, and juries, to avoid an excess of severity, often fall into an excess of indulgence." So said a still greater man than Bentham, two hundred years before him.—"Any over-great penalty," says Bacon, "besides the acerbity of it, deadens the execution of the law." Our House of Lords differed from Bentham and from Bacon, and, as might be anticipated, they were wrong. But the consequences of their error were tremendous; no less than the menaced demoralization of an entire people. From that error resulted some of the foulest verdicts that ever defiled a jury-box. Here are a few of them, pronounced on indictments preferred under this statute:—

Elizabeth Parsons, for stealing twenty-three guineas . . . v. Guilty—39s.

Alexander Chambers, for stealing 333 yards of holland linen, 24 yards of printed linen, value £4 4s.; 45 yards of damask, value £16; 26 yards of striped linen, value £3 5s.; in the dwelling-house of Edward White . . . v. Guilty—39s.

T. Radford and *T. Williams*, for stealing one £10 note, three £1 notes, two £5 notes, the property of Thomas Hartshorn, in his dwelling-house . . . v. Guilty—39s.

Joseph Day, stealing a watch, value £20; a gold watch string, value £2; a gold chain, value £10; a pair of diamond ear-rings, value

£20; a silver snuff-box, value £3; six silk gowns, value £12; two pieces of gold and silver brocaded silk, £60; each being, taken separately, above 40*s.* value . . . v. Guilty—39*s.*

These are a few, a very few, of these most monstrous verdicts, taken from a multitude; what their sum total must have been may be inferred from a statement made by Lord Suffield, in the House of Lords, on the 2nd of August, 1833. "I hold in my hand," said his Lordship, "a list of 555 perjured verdicts, delivered at the Old Bailey, in fifteen years, for the single offence of stealing from dwelling-houses: the value stolen being, in these cases, sworn above 40*s.*, but the verdicts returned being to the value of 39*s.* only. If required, I will produce the name of every one of these 555 convicts, and shew the value proved to have been stolen." This became too horrible to be tolerated any longer, and what does the reader think was the remedy? A repeal of the law? No such thing. If that was the result, "the people of England," as Lord Wynford said, on a similar proposal, "could not sleep in safety in their beds." No, but the legislature revised its arithmetic. Man, made in the image of his Maker, rose in the money market. Human life was extravagantly averaged at £5. A rise in the article of no less than sixty shillings a head!

But still, the obstinate juries demurred to the valuation. Perhaps, as for mere blood, they thought the price too low; or, it may be, they remembered that an immortal soul was included in the estimate. Again, therefore, to the scandal and disparagement of public justice, they applied the only remedy in their power. Disregarding the actual amount stolen, they substituted for the old 39*s.*, "Guilty of stealing to the value of £4 19*s.*" Take one single case under the improved system—it is selected merely for its flagrancy.—A man named Robinson, was tried at the Old Bailey, in 1831, for robbing his employers to the amount of £1000. Of this property £300 worth was traced to a man to whom Robinson had sold it; and more of it, to the amount of £200, was found in his own room, thus accounting for £500 out of the £1000; the jury found this man guilty of stealing to the amount of £4 19*s.* He was again indicted for stealing to the amount of £25, and again convicted of stealing under £5. There were several other indictments against Robinson, who seems to have been a wholesale depredator; but the prosecutors, after such verdicts, allowed him to plead guilty to them all to the extent of £4 19*s.* The jury remembered that in the previous May, a man had been executed under this very statute, and they shrank from the work of extermination. An ornament of the bench (Blackstone) went far towards justifying such verdicts, which have come down to us, on his high authority, as "pious perjuries."

One instance more, and only one, (before we come to the main subject of our argument,) of the folly as well as flagrancy of legislation such as this. Who can forget the outcry raised on the mere hint of a mitigation of the laws relating to forgery? All England was panic-stricken. The banks must stop, public credit would be a thing of history, commercial confidence would vanish into air! Such were the predictions of bankers, and merchants, and traders,—of every counting-house—of the whole Exchange; and they prevailed, not

unnaturally, for the commercial world were entitled to all deference on the subject; but they prevailed not long. These cruel laws were repealed—repealed after torrents of blood had been shed—after the Jury-box had been desecrated a thousand times, and the kiss which sealed the gospel invocation, had proved to be the kiss of Judas. They were repealed—and wonderful to relate, on the petition of the bankers of every city and exchange in England, except London. It is painful to be compelled to add, that this petition was prompted, not by the statesman's policy, or the philosopher's convictions, or the christian's humanity, but by the same motive which produced their previous opposition—the money market's motive—mere self-interest. So they state candidly in their document. In 1797, a bill had been passed, enabling the Bank of England to issue notes under the value of £5. The forgery of these notes was, of course, a capital offence. The passing of that bill was Moloch's installation. From that fatal date, in eight years, one hundred and forty-six people, of both sexes, were hanged for the forgery of bank notes alone! At last the Old Bailey became a human shambles. The perjury tactics were again adopted; juries would not convict. An expedient was then resorted to by the prosecutors of giving the accused the option of pleading to the minor charge, that of having forged notes in their possession, and so saving their lives. The expedient failed; in the September sessions of 1818, thirty-eight persons were indicted capitally for forgery or uttering. Harassed and terror-stricken at the alternative before them, of inflicting death or violating their consciences, they implored the legislature to relieve them.

But has this unwillingness on the part of juries to convict become less strong in these latter days? Mr. Dymond, in his excellent paper, furnishes us with the following proofs in the negative. From the Lords' Report he selects these opinions of four judges:—

MR. BARON ALDERSON.—APPENDIX, p. 45.

Answer to Q. 25.

I wish I could believe that the punishment of death could safely be dispensed with. It is at present practically confined to cases of murder. Whether all cases of murder require it,—as, for instance, duelling, and the like,—is a doubt with me. This is an experiment which, I think, might safely be made. *It is a bad thing to have verdicts continually given in the teeth of the law and the evidence*

MR. JUSTICE WIGHTMAN.—APPENDIX, p. 10.

Q. 25.

Do you think any punishment by transportation would be a sufficient substitute for death, in the cases still left capital?

There can be little doubt but that secondary punishment may be made so severe as to be a sufficient substitute for the punishment of death, provided such secondary punishment is invariably and inflexibly carried out; but whatever the substituted punishment may

be, it must be fixed and certain, leaving no discretion to be exercised by the judge who passes sentence.

MR. JUSTICE COLTMAN.—APPENDIX, p. 51.

To the 25th Question, I am disposed to think that imprisonment for life without hope of any remission of the sentence (unless the innocence of the accused should be made to appear), might be substituted, without inconvenience, for capital punishment. *Many guilty persons now escape who would then be convicted; and though the punishment has little to excite apprehension, in comparison with that of death, to the majority of persons, I do not think that the apprehension of death operates much on the mind of a man who is meditating a great crime; he is, generally, I conceive, under the dominion of some overpowering passion, which leads and enables him to set all consequences at defiance.*

MR. JUSTICE PERRIN.—APPENDIX, p. 189.

Answer to Q. 25.

I do, as I have already intimated. I would add, that the increased certainty of conviction, and of some heavy punishment, though short of capital, which in Ireland especially, I think, would much more frequently ensue, must operate strongly. *I am convinced that in many cases when (in murder cases) juries have either acquitted or not agreed in a verdict, the apprehension of taking away life, where a mistake might by any possibility be made, has been the cause, and that if the punishment had been short of death, convictions would have taken place.*

But a further reference to *special cases* will demonstrate the point in question. The history of one woman, alluded to on a recent occasion in the House of Lords, and with which most gentlemen on the home circuit are familiar, is thus referred to in a London newspaper:—"The Lord Chief Justice, agreeing with his noble and learned friend, used a most unfortunate illustration in referring to the doings of 'Sally Arsenic,' executed at Chelmsford in the spring of 1851. He could hardly have been ignorant that this woman's history is one of the best facts that can be brought forward, by those who differ from his Lordship, in proof of the inexpediency of attaching a capital penalty to the crime of murder. Had not the law been capital, she would have been convicted of poisoning two of her children in 1847. It is a notorious fact that she escaped on that occasion, in the teeth of the most conclusive evidence, through the tact of her counsel, who, by repeated challenges, at last secured on the jury certain parties well known, in Chelmsford, for their strong objection to the capital penalty. Learning her lesson in the dock (as described by Lord Campbell), she went forth skilled in her craft, to practise it with professional accuracy, thus proving the oft-asserted fact, that capital laws grant impunity to crime."

It is well known, in the county of Northumberland, that certain persons, charged with an atrocious murder of an aged woman, whose house they afterwards robbed, escaped from a determination

on the part of their jury not to convict on a capital charge, and afterwards boasted of their escape, and made indirect admissions of their guilt. A young man recently tried at Taunton for administering arsenic to his father, escaped from a similar cause. The case being one of "*attempt to murder*," only the jury were under the impression that some other sentence than death would be awarded; but the presiding judge, in his charge, expressed an intention, if the verdict were one of "*guilty*," to leave the prisoner for execution; and the jury, who had at first fully determined to pronounce an adverse verdict, immediately *acquitted* the culprit. In cases of *infanticide* the practice of acquitting on the capital charge is almost universal. Lord Chief Baron Pollock, in his charge to the grand jury in Shropshire (summer assize, 1855), described it as being, in his experience, *invariable*. A woman named Boucher, tried at the spring assizes at Exeter last year, was found pressing the body of a new-born infant in a tub,—the child's neck bore marks of strangulation,—the mother had been once before charged with a similar crime (but having partially burnt the body, could only be found guilty of concealment of birth),—yet the jury acquitted her, in the language of Mr. Baron Alderson as above given, "in the teeth of the law and of evidence." Still more recently a young woman was tried for child-murder at Carlisle. She had stuffed a rag down the child's throat; that it could have been there by accident was an utter impossibility. The jury found her guilty of *concealment of birth*, the verdict extracting from Mr. Baron Martin the exclamation of, "*Not guilty of murder! gentlemen!*"

Now let Mr. Phillips plead:—

Oaths, as administered in our courts of justice, are meant as the links to bind men's souls to heaven; these links once severed, the sanctity of social life is gone, and with its sanctity, its safety. We are not theorizing! the most flagrant verdicts have been already cited, returned by juries, rather than hazard a capital conviction; so flagrant and so frequent, that, as we have seen, law and property could not co-exist—witness the forgery code. Is there no danger that murder may come to be included in the category? Lamentable to say, such things are in progress. In 1847, a woman of the name of Sarah Chesham was indicted at Chelmsford for the crime of poisoning; all considered the case proved against her, but she was acquitted. The rumour was, that an influential juryman felt scruples about taking away life. Again in 1848, the very next year, she was indicted for the murder, by poison, of her own children, and she was a second time let loose upon society. Encouraged by this conflict between law and conscience, she tried a third experiment and poisoned her husband—for this she was executed. It was said that fourteen victims were sacrificed by this fiend; society would have been rid of her at the first trial, save as a show and a scarecrow, had the punishment been secondary.

"Two criminals," says Mr. Ewart, "Battersby and Wilkinson, were tried at York, in 1851; the proof of murder was, to all common apprehension, clear. The Judge told the Jury that it was

difficult to believe that the death was caused by manslaughter ; yet the Jury returned a verdict of manslaughter.

"In January, 1852, Thomas Bare was proved, by the strongest evidence, to have murdered his own wife ; he even acknowledged that he deserved to be executed—yet he was acquitted by the Jury. The *Times* of that date thus concludes a leading article :—' If there be such a crime as murder, this is murder, and murder of no common atrocity.' It adds, ' that in cases involving capital punishments, the Judge, Jury, Home Secretary, and Public, contend to mitigate the crime of murder.'

"Last year, 1855, at Maidstone, during the spring assizes, Elizabeth Avis Dawes was tried for murder ; her guilt was clear—she afterwards confessed it—yet she was acquitted. 'A memorable example,' says the *South-Eastern Gazette*, 'of the impunity afforded to murderers.'

"In the case of the Matfen murder, tried on the 27th of March 1856, at Durham, the guilt of one prisoner appeared certain. A jurymen, however, told a person who can be produced, that they all agreed on a verdict of acquittal, '*rather than the man should hang.*' "I can," said the Honourable Member, in conclusion, "produce instances of jurors having stated that they would have found prisoners guilty, as they were bound to do ; but, when they learned from the Judge that the penalty would be death, they resolved on an acquittal."

But is hanging (death) really a deterrent. Hear Mr. Dymond :—

When Dr. Dodd was hanged for forgery, his execution was speedily followed by that of one of his jurors upon the same scaffold, and for the same crime. Fauntleroy admitted that he conceived the idea of committing that offence after seeing an execution for forgery. Coiners were taken into custody plying their trade whilst the dead body of an executed comrade lay before them. A minister of the Gospel, the Rev. Mr. Roberts, of Bristol, states that of 167 persons whom he had visited under sentence of death 164 had *seen* executions ; and Dr. Ford, an ordinary of Newgate, gives equally strong testimony. Thus, too, it is with *murder*. Even when the terrible example is brought before our eyes, it seems but to harden and deprave. When the law has been administered most inexorably, murder has been most rife.

From a Parliamentary Return (No. 618, 1843) I extract the comparative results of two periods of sixteen years each. During the first sixteen years all who were convicted of murder (in London and Middlesex), thirty-four in number, were executed. During that period 188 persons were committed for trial for that crime. During the next sixteen years some clemency was shown by the Executive. Out of twenty-seven convictions only seventeen were hanged, and yet there were but ninety committals. With only 63 per cent. of executions the crime diminished more than one half. Of very recent date murders have been committed and attempted by persons who have just before witnessed executions. This was the case with

Wicks, executed at Newgate in 1846; and Connor, executed in 1845. A man named Samuel Quennell was hanged in London in January, 1846. Some weeks since his cousin was taken up for a murderous assault, during which he informed his victim "he would do for him, and be hanged for it as his cousin had been." A similar offence was committed by a drunken tailor, immediately after the execution of Nathaniel Mobbs in 1854, the culprit alluding to the fate of Mobbs as one he would be willing to emulate. The execution of Cumming at Edinburgh, in 1854, was followed (as stated by the *Scotsman* newspaper), by a great increase of brutal assaults upon women, a crime for which—issuing in murder—Cumming was hanged. A man named Heywood was hanged last January at Liverpool, for cutting the throat of a woman with whom he cohabited. Three weeks after one Ferguson was arrested in Liverpool for a similar crime. A few days after Heywood's execution at Liverpool, a young man named Abraham Baker was hanged at Winchester for shooting a girl who refused his offers of marriage. After the previous Summer Assizes a man named Meadows had been executed at Worcester for committing that very crime,—for the same reason and in the same manner. After the late Spring Assizes two executions took place. John Fowkes was hanged at Leicester for shooting his nephew. During the last few days two similar crimes—one of murder and another of attempt to murder—have been perpetrated with fire-arms in the county of Leicester. Charles Jones, a convict at Portsmouth, was executed at Winchester for the murder by stabbing of the assistant-surgeon on board the *Stirling Castle* hulk. A writer in the *Times*, signed "Howard, Jun.," now tells us that another convict is in custody on board the same vessel, for stabbing one of the officers in the neck, evidently with murderous intent. I could multiply cases almost *ad libitum* were more proofs needed.

Now let Mr. Phillips speak :—

Lord Nugent mentions, that in May, 1840, a man named Thomas Templeman, was executed at Glasgow for the murder of his wife, and that pickpockets plied their trade under the gallows; at that time to be sure, a boy could not be hanged for stealing a pocket-handkerchief—a humane amendment had substituted transportation for life, and scores have been so transported; but, Barrington, the *facile princeps* of the profession, declares, that even when the offence was capital, the thieves selected the moment when the strangled man was swinging above them, as their happiest opportunity, because, they shrewdly argued, "everybody's eyes were on one person, and all were looking up." The late excellent Basil Montagu used to relate, that through the interest of the Duke of Portland, he obtained the respite of two unhappy men who were sentenced to death, at Huntingdon, in 1801, for sheep-stealing. By dint of great exertion he reached the place a short time before the hour appointed for the execution;—the streets were thronged with crowds who came to see the show, and, to his utter horror, the High Sheriff advised him to leave the town as speedily and as *privately* as he could, to avoid ill-treatment, from the disappointment he had occasioned!

On one occasion, when forgery was capital, a criminal had been executed at the Old Bailey, and his body had been placed at the disposal of his friends; his widow pursued his trade of forging £1 notes, and a young man sought her house, to purchase some; the police were hard in pursuit, and, to prevent discovery, she crammed the notes *into the mouth of the corpse*, and there the police officers found them.

The Venerable Archdeacon Bickerstath thus states that which passed under his own eyes, in the town of Shrewsbury, during the execution of Josiah Misters, convicted of an attempt to murder, "There was an unusually large attendance, not only of the inhabitants of the town, but of the country round. The whole scene was new to me, and very unexpected; the town was converted for the day into a fair—the country people flocked in, in their holiday dresses, and the whole town was a scene of drunkenness and debauchery of every kind. I had an opportunity of inquiring from some of the most respectable inhabitants, what was their own impression, and their opinion entirely coincided with my own, that the whole exhibition was calculated to be injurious to good morals, rather than otherwise. It was particularly remarked upon that occasion, that a very large number of children were present; children and females constituted the larger proportion of the attendance. The impression left by the execution was not one of seriousness, and it was impossible to make it so. I was anxious, before the day came, if possible, to use it as a day upon which some moral effects might be produced, but I found it quite in vain."

Respecting another case, the same reverend dignitary stated that, in answer to a letter which he had written to a respectable inhabitant of Shrewsbury, he was informed that the mining districts generally furnished the larger proportion of spectators; "They come out just as they would to *bull baiting or a cock-fight*; and after the solemn scene is over, the day is invariably one of drunkenness, oaths, and disorder. About thirty years ago, a man, who had been a local sectarian preacher, was executed at Shrewsbury—he had been convicted of the crime of murder on the most clear and undoubted evidence, yet, at the time of his execution, he was permitted to speak to the people, several thousands of whom were present, as usual. Having a powerful voice, which he exerted to the utmost, he was heard at a great distance, even as far as the gardens on the north side of the Abbey Foregate. In the course of his harangue he called out several times, 'I am going to glory, what shall I do for you? tell me what I shall do for you?' He then gave out a hymn, two lines at a time, which was sung by a portion of the throng, himself leading the singing; and at the conclusion the executioner performed his office. Surely such a scene could only have had one or other of two effects on the minds of the persons present—it must either have diminished their respect for the laws of man, or have weakened their fear of God."

Of the moral effect of executions on the young inmates of the prison, who, of course are secluded from the contamination of the spectacle, we have authentic and most unquestionable authority. "Let the schoolmaster of Newgate be examined, and he will prove

that for some days after every execution, a common amusement of the boys, is, to play the scene over again, one boy acting the constable, another the ordinary, a third the sheriff, and a fourth the hangman. I have seen this done many times, and on one occasion before the bodies of the men just hanged had been removed from the scaffold." This has been witnessed by Mr Wakefield, within the prison. But what has not all London seen outside of it? Have we not had the foulest murders dramatised and enacted? Have we not seen, night after night, the metropolitan theatres crowded to suffocation, and christian audiences cheering the mockeries of suffering crime! Who can forget the Thurtell tragedy, with its carefully authenticated accessories—the very car from which the victim fell, paraded on the stage! Even within these two months we find in the journals, the fac-simile of a play-bill as issued at Oldbury:—

"AN UNEQUALLED COMBINATION OF ATTRACTION AND NOVELTY!

THE RUGELY TRAGEDY,

OR THE

LIFE AND DEATH OF WILLIAM PALMER!!

First scene—RUGELY. Second scene—SHREWSBURY. Third scene—LONDON.

TO CONCLUDE WITH

MUSIC AND DANCING, AND A LAUGHABLE FARCE!"

The punishment which Mr. Phillips would substitute for hanging, and his reasons for the abolition of it, may be thus stated. It should be abolished,—

Because—The giving and the taking away of life appertain exclusively to God.

Because—Being fallible, we should not punish, when, if wrong, we have no power of reparation.

Because—The crimes in respect of which it has been repealed, have not increased, notwithstanding a progressing population.

Because—Executions, by hardening and brutalizing the human heart, produce the evil they are intended to restrain.

Because—By inducing juries to evade their oaths, it defeats the end, and degrades the dignity, of justice.

Because—While its severity deters prosecution, the uncertainty of its infliction gives encouragement to crime.

Because—Our abhorrence of bloodshed often gives immunity to guilt, and our proneness to err but too often sacrifices the innocent; and

Because—Its discontinuance, in some portions of Europe and America, has been adopted with advantage to their respective communities.

"Even in the States where, though not as yet totally abolished, it has been comparatively circumscribed in its application, no evil consequences have ensued." "Massachusetts," says the tenth annual report of the Prison Discipline Society of Boston, where seven

crimes are punished with death, is no more secure in person and life than Pennsylvania, were only one, and New Hampshire, where only two crimes are so punished ! ”

The advocates of abolition have frequently, and not unreasonably, been asked what substitute they would propose for the punishment of death. Our substitute is based on the principle of Beccaria : “ It is not the intenseness of the pain that has the greatest effect on the mind, but its continuance. The death of a criminal is a terrible, but momentary spectacle, and therefore a less efficacious mode of deterring others than the continued example of a man deprived of his liberty, condemned as a beast of burden, to repair by his labour the injury he has done to society.” We would propose, therefore, as a substitute :—

Perpetual Imprisonment—Certain and Incommutable.

Hard Labour for Life, its produce being for the public benefit

The Silent System one day in each month.

A Strict Exclusion from the External World in every way.

The most Frugal Fare compatible with health.

The Prison to be appropriated exclusively to the Convicts for Murder throughout the United Kingdom, to be built on an elevation, visible, but secluded, to have a black flag waving from its summit, and on its front inscribed—

THE GRAVE OF THE MURDERERS.

The following is the punishment for murder prescribed by Mr. Livingstone's code for the State of Louisiana. It has been now in force for nearly thirty years, and has been found quite efficient.

“ MURDERERS shall be strictly confined to their respective cells and adjoining courts ; in which last they may be permitted to labour except for two months consecutively in every year, commencing on the anniversary of their crime, during which period they shall only come into the court during the time necessary to cleanse the cell ; and, on the anniversary of the commission of their crime, the convict shall have no allowance of food for twenty-four hours, during which fast he shall receive the visit of the chaplain, who shall endeavour by exhortation and prayer to bring him to repentance.

“ Murderers shall receive no visits, except from the inspectors, the wardens, officers, and attendants of the prison, and from those who are constituted visitors of the prison. They shall have no books, but selections from the Bible, and such other books of religion and morality as the chaplain shall deem proper to produce repentance and fix their reliance on a future state.

“ The fast shall not be suffered when the physician shall certify that it will be dangerous to the health of the convict.

“ The convicts who have not learned to read may be instructed by the teacher.

“ No murderers shall have any communication with other persons out of the prison than the inspectors and visitors : they are considered dead to the rest of the world.

“ The cells of murderers shall be painted black within and with-

out, and on the outside there shall be inscribed, in large letters, the following sentence—

“‘In this cell is confined, to pass his life in solitude and sorrow, A. B., convicted of the murder of C. D. His food is bread of the coarsest ; his drink is water, mingled with his tears ; he is dead to the world : this cell is his grave ; his existence is prolonged that he may remember his crime, and repent it, and that the continuance of his punishment may deter others from the indulgence of avarice, hatred, sensuality, and the passions which lead to the crime he has committed. When the Almighty, in his due time, shall exercise towards him that dispensation which he himself arrogantly and wickedly usurped towards another, his body is to be dissected, and his soul will abide that judgment which Divine justice shall decree.’”

What is there in the national character to require the continuance of capital punishment ? It is proved to be undeterrent, it is proved to be demoralizing in its results on others, it presupposes the incorrigibility of the criminal. We know, upon the authority of Lowndes, the friend of Edward Livingstone, that “some old offenders have rather chosen to run the risk of being hanged in other states than encounter the certainty of being confined in the Penitentiary cells in Pennsylvania.” The chance of escape from the conviction, the chance of punishment less than capital, lures the criminal onward ; all these lures would vanish, and the wild lust of adventure in crime would be stifled, when hope of liberty should be crushed, even though life should certainly be spared.

The chances of escape at present are numerous. Ingenious counsel impress the minds of the jury with the awful weight of responsibility which they incur by dooming a fellow creature to the gallows, and they, alarmed at the greatness of the penalty, though his guilt is irrefragably established, by a kind of “*pious perjury*,” falter an acquittal, or call it an offence foreign to the evidence. And though the sympathies and religious opinions of jurors should form no obstacle to the faithful administration of the law, yet the pernicious influence of public executions more than countervails the terror which they excite. They are pernicious, because, if they do not render the heart callous to tender sentiments, by familiarising the eye to scenes of death, they are so by the invocation of pity. The murderer, on whom is passed the sentence of death, has the gratification of knowing that he fills a large space in the eye of a sympathising public—that dreams, whether he has had

them or not, will be recorded to heighten commiseration—that confessions which he never wrote or dictated, will be bandied among the mob, with all the effrontery of falsehood, in extenuation or denial—that, though he ends his days disgracefully on the gallows, as the guerdon of his deeds, his name will be repeated with a sigh, the recollection of his civic and social *virtues* will live after his death, and the praises of the people will follow him as a saint ! These are sad truths, which reference to instances is not required to elucidate and establish ; and these, if not the mistaken tenderness of the jury, if not the exercise of ill-judged executive clemency, rob this penalty of the effects which it was intended to inspire.

ART. V.—OYSTERS.

The Closet of Cookery. By Sir Kenelm Digby. London: 1669.

“Happy the man who, void of cares and strife,
In silken or in leathern purse retains
A Splendid Shilling: he nor hears with pain,
New Oysters cried.”

So sang John Philips, laureate of Cider, of Tobacco, of the Splendid Shilling, and of the Duke of Marlborough. So he sang, and so sing we as we read over and over again, the seducing advertisements of Hynes of Dame-street, and of Burton Bindon's successor in D'Olier-street. We sing, but we sigh whilst we sing, for the words come over us like the memory of a dead joy, and we wander back in fancy to twenty years ago, when, after applauding “pretty little Hudart,” as she was called, we used to go, full of admiration and appetite, to a supper at Killeen's, and finish a quarter of a hundred Red Banks, with two tumblers of John Jameson. But poor Hudart is gone, our appetite has vanished, the roaring boys who waked the night with the jovial songs have passed away, and as we stroll through the well-known haunts of happier times, before we thought of gout, or colchicum, and could sing, *I saw from the Beach*, with an undimmed eye, we think of the past and sigh with George Morris—

“For many a lad I liked is dead
And many a lass grown old;
And as the lesson strikes my head
My weary heart feels cold.”

O! youth! youth! oh! friends of our youth grown into grave lawyers, judges, doctors, have ye forgotten Malahide, Carlingford, Lissadill, and Burren? Do ye recollect how the Carlingford boats were moored above Carlisle Bridge, and the boat-men were commanded to step into Killeen's, or the Carlingford, (the taverns being exactly opposite, the boat lying between them), and were told to continue opening the Oysters, until we could swallow no more? Do ye recall the O'Hara emporium in French-street, and O'Hara's stories of the former proprietor, “Ould Smith”? Have ye forgotten O'Ryan's

in Trinity-street, and its glorious natives from Burren? Do ye ever take a sly look at "The O'Donohoe," in Abbey-street, as ye pass through Sackville-street? It is changed now: or is it that we are changed, and no longer able to feel with Lodovico Dolce, that though the pearl is the Oyster's heart, yet that he is himself a pearl without his heart?

How the old time comes back upon us as we write; and as we recall the knowledge which at that period we had gathered upon the history of our favorite fish, we are impelled by that failing of age, the wish to hear ourselves talk, or to see our thoughts on paper, to write our once cherished facts and gleanings, and we shall tell the reader how Oysters were honored by the choice of Emperors; what oysters are; how they should be eaten; in fact we shall show him how great a ranting fool mad Antony was, when he sent that famous "orient pearl" to Cleopatra, and called it with that kiss of "many double kisses," the "treasure of an oyster." Had he been a sane man and not a raving lover, he would have sent her not the pearl, to dissolve in vinegar, but the Oyster of which it was the heart, that floating in vinegar she might taste it, and tasting should cry, "my salad days when I was green in judgement" are past,—“My man of men,” send me a hundred such as these.

The Irish are the only people on earth who treat the Oyster with respect, and who do sufficient honor to his merits. It is true that in England they have a superstition that whoever eats Oysters on St. James's day can never want; it is true that the little boys and girls ask you on Oyster day, for "something for the Grotto?" But in Ireland we usher in the Oysters with a procession, and along the winding road from Malahide there may be seen, on the first day of the Oyster season—

Shouting Friends.

Oyster Men.
Carts.
Oyster Men.
Carts.
Fiddlers.
Oyster Men.
Carts.
Pipers.
Oyster Men.
Carts.
Shouting Friends.

Shouting Friends.

Can we forget how the lovers of Oysters throng the shops, shelling the fish and floating them in Pale Ale and punch, until the happy Oyster opener cries with *Pistol*,
 "—— then, the world's mine oyster."

Did not Robert Boyle write of the proper manner of eating oysters? Did not O'Connell enter into a match of abusing with, and find himself all but worsted by, an oyster-woman; and did not our old friend, Billy Hurley, the post-master of Lismore, drive, in the year 1821, being in his ninety-seventh year, from Fermoy to Dungarvan, in an oyster-tub, drawn by a pig, a badger, two cats, a goose, and a hedgehog? Do we not remember Billy rolling into Dungarvan, sounding a cow's-horn, and flourishing a pig-driver's whip, his jolly old head surmounted by a bright red woollen night-cap? Thus have our people shewn their respect for the Oyster, and the Oyster has shewn itself grateful for the homage, and has grown up in our national "Beds," with a delicacy of flavor, throwing all other beds into unquestionable inferiority.

It must be remembered that in making this statement we are not ignorant of the great antiquity of Oysters. If we can credit Pliny, the Naturalist,* Sergius Orata was the first who formed the idea of constructing Oyster Beds. This gastronome caused immense reservoirs of water to be erected at Baiae in which were collected several thousands of these mollusca. A palace was built adjacent to these inclosures, and there the wealthy Roman every week invited his chosen friends to pass the day and night in enjoying good cheer. Oysters maintained the place of honor at the festive board of Sergius Orata, where each guest swallowed several thousands. Filled to repletion, but not satisfied, these savage gourmands retired to an adjoining room where they excited themselves to disgorge all they had previously partaken, and returned again to indulge their insatiable passion for Oysters.

How we shall shock the sensibilities of our fair readers of the present day, when we inform them that this singular custom was adopted by the Roman ladies also, but, instead of using their finger for this base purpose, they employed the feathers of the peacock, and other rare birds, with which they gently tickled their throats. It was at Baiae, near Pouzzol,

* Lib. ix, c. 54.

not far from lake Lucrinus, on the confines of the Tyrrhenian Sea, in an enchanting site, under a transparent sky, in the middle of a perfumed atmosphere, that the voluptuous Romans erected their country residences. It was there, apart from business, far from the noise and tumult of the Forum, that they delivered themselves, like true disciples of Epicurus, without thought or care, to the most refined luxuries of the table; there they enjoyed with a keener relish this light shell-fish, the Oyster, partaking of it with the same zest as Martial,

Levi cortice, concha brevis,

after collecting them on the beach some hours before they were placed on the table. The annals of gluttony mention some gastronomers whose stomachs became so plastic as to enable them to swallow from one to several hundred Oysters: but Vitellius surpassed them all on this point. If we can place any faith in the historians of that time, this Emperor partook of them four times a day, eating, at each repast, neither more nor less than twelve hundred. Seneca himself, who extolled so admirably the charms of poverty, and who died possessing thirty-three millions of our money, Seneca, the wise Seneca, eat some hundreds of dozens of them weekly.

"Oyster, dear to the gourmand," cried he, "which excites instead of satiating the appetite, which never causes illness, even when eaten to excess, so easy art thou of digestion!" *Ostrea non cibi, sed oblectamenta sunt ad edendum saturos cogentia, quod gratissimum est edacibus, et si ultra quàm capiunt farcientibus facile descensura, facile reditura.*

Cicero did not disguise his extreme partiality for this species of shell-fish, but he adds that he could abstain from it without any sense of privation. *Ego qui me ostreis et murænis facile abstinēbam.** We prefer Horace boasting every instant of his taste for the Oyster, swallowing it with the same delight with which he extolled it, and carefully noting the name of the slave who served him with it; he cries—

Nos, inquam, cœnamus aves, conchyliā, pisces.

We like that Montanus, famous gourmet, who could ascertain by the first touch of his teeth, whether the Oyster was from Circeii, lake Lucrinus, or from the city Rutupino:—

Circæis nata forent an

Lucrinum ad saxum Rutupinove edita fundo

*Ostrea callebat primo deprendere morsu.**

* Juvenal, Sat. 4.

We have long commentaries on this Rutupino, which some have regarded as a City of Brittany, whilst others take it as a promontory. This is to us but of little moment, we shall merely allude here to these expressions—

Primo dependere morsu.

The Romans, our masters in all the arts, and probably in gluttony likewise, did not swallow the Oyster; they chewed it. We swallow it at the present day. Is this right or is it wrong? We will not take it on ourselves to decide the question. These Romans did not require to use their teeth, in order to decide whether the Oyster belonged to this or that lake; a single glance was with them sufficient to enable them to resolve the question, as may be seen in these lines of Lucilius:

Quid? ego si cerno ostrea

Cognorim fluvium, limum, ac cœnum sapere ipsum.

We, who write this paper, have eaten, during our life, many hundreds of baskets of Oysters; we dare not, however, affirm that we have as sufficiently practised a glance as the gourmand, Lucilius, who sang thus. At Rome, as in England, they disputed on the extraction of the best Oysters.

Lake Lucrinus was first in fashion:—

Lucrinus

Eruta littoribus vendunt conchyliæ cœnis,

Ut renouent per damna famem.*

Then we have Martial:—

Ebria baiano veni modo concha lucrino,

Nobile nunc sitio luxuriosa garum.

Pliny preferred those of Circeii:—

“According to my opinion,” said this gastronomic naturalist, “there are none sweeter, nor more tender than those of Circeii.”

Circensibus nec dulciora neque teneriora ulla esse compertum est.

Finally, they preferred the Oysters that were brought from the Atlantic Ocean, whether they were really better, or that patrician opulence distained this species of shell-fish when procured without trouble, and almost without expense, on the strands in the immediate vicinity of Rome. Be that as it may, some thousands of slaves were employed in transporting these mollusca to Rome, where they were worth their weight in gold.

* Petronius.

The expense attending this mode of conveyance was so excessive, that the censors were obliged to issue a mandate prohibiting their frequent importation. They were thus enabled to bring but few from those distant parts, these were preserved in ice, in order to render them fresher and more agreeable to the palates of the gourmand. It is from Pliny also we have learned this refinement of sensuality.

We are not aware what means were adopted by the ancients in order to preserve the freshness of the Oysters during long voyages, through very hot countries, and in all seasons of the year. This is a secret of which we are unhappily ignorant.

Apicius, one of the greatest cooks that ever existed, the same, as is related, to whom we are indebted for the treatise *De Re Culinari*, sent some of them to Trajan, when this Emperor was in the country of the Parthians, where they arrived as fresh as those that were eaten on the Rocher de Cancale.

Strange circumstance! Pliny considered a voyage as useful to Oysters as to certain wines. These Oysters bore no resemblance to those of Havre or Cancale. In France, the Oysters most prized are those which come from the neighborhood of Brittany, Normandy produces the largest. The gourments, however, prefer the English Oysters.

The Oyster, *Ostrea L.*, fifth class of the animal kingdom (mollusca) fourth order of this class (acephaleous) genus of shell-fish of the species bivalve, having one of the valves flat, and the other more or less convex, irregular, adherent, veiny, opening in an oblong form, and jointed at the back, furrowed crosswise by which means it is connected with the ligament of the animal. It possesses but one muscular impress in each valve.

On examining the Oyster, there may be observed a covering divided in two lobes furnishing the larger portion of the valves, the edges of which are ciliated; then four membraneous leaves, crossed and striated, acting as capillary funnels open at the farthest extremities. These leafy coverings or gills, are spread unequally over the sides of the body, performing the functions of the lungs, and, separating from the water, the air necessary to support the fish's life. The mouth is a sort of proboscis or trunk, with a slit sufficiently large, edged with four lips equal to the gills, but six or eight times shorter.

Behind the gills may be found a large fatty part, whitish

and cylindric, which turns on a central abductor muscle, and encloses the stomach and intestines. This part is like the feet of other fish of the testaceous species, but they are not susceptible of extension or of contraction; the intestinal pipe is placed on the back of the muscle.

Oysters have circulatory vessels, at the base of which may be seen muscular cavities which perform the duties of the heart, and which disperse the humours they contain over the membranes, when put in contact with the water or the air.

The naturalist Poli, has given the name *Péloris* to the creature, Oyster, and has proved by his observations, that they are completely hermaphrodite, viviparous, and have no appearance of feet.

Oysters cast at the commencement of spring a spawn of a greenish colour which resembles a drop of fat, in which may be observed, through the aid of a microscope, an infinite number of little Oysters already quite formed and furnished with their valves, by which they attach themselves to the rocks, to stones, and other solid bodies dispersed in the sea. They attain quickly the power of re-producing others, and from the fourth month after their birth they can increase anew.

At this period this species of mollusca become weak, lean and spent, nor do they regain their size, quality, or flavour till towards the month of September.

Some ancient authors were under the impression that the Moon exercised a species of influence at certain periods during its course on the increase of the flesh of the Oyster and other shell-fish; but this was an error which time and increased knowledge have helped to refute.

Sometimes the floods occasioned by heavy rain and high tides drift the spawn to a great distance, and it frequently happens that trees are completely covered with Oysters; this must be the reason that Horace expresses himself thus—

*Piscium et summâ genus hæsit ulmo,
Nota quæ sedes fuerat columbis.*

The shell is formed of a mixture of two substances closely blended, one of which is entirely animal, and the other purely calcareous. This animal matter which forms part of a new shell, is to be found blended with the cretaceous molecules which constitute the solid part of the shell; without this reunion neither fibres nor membranes could be formed, as it has been proved that it is the external surface of the body of

the animal which secretes the calcareous matter which forms, increases, and repairs the shells, by means of glands or cryptas solely adapted for this duty. The secreted fluid is viscous, and contains calcareous molecules which draw closer and agglomerate on losing their humidity.

There are local circumstances which determine the mode of their position: they attach themselves to rocks, to the roots of trees, and sometimes to each other; and in this case form banks which increase daily, and in certain latitudes extend several leagues in length and are of considerable width. They fasten themselves by their convex valves in such a manner as to render themselves unable to change their places.

The Abbé Diquemare who has closely observed the habits of Oysters, assures us, that when free, they have the facility of transporting themselves from one place to another, of causing the sea water to enter, and emerge suddenly from between their valves, that they can in effect open and close them with such extreme quickness and force as to produce a remarkable sound. It is by these means they are enabled to defend themselves from other small animals, especially crabs, who try to get into their valves when half open. Some go as far as to accord to them a certain degree of foresight; a very strange fact is certainly observable of which the Oysters on the sea side furnish a proof. These Oysters, exposed to the daily alternations of high and low tides, appear to be aware that they are likely to be exposed to dryness during a certain period, and preserve water in their shells. This peculiarity renders them more easy of transportation to remote distances than the Oysters caught off shore, which, wanting in this particular, cast out all the water they contain, and then remain exposed to the heat of the sun, to cold, and to the attacks of their enemies.

Crabs and mud are the most dangerous enemies to the Oysters. We have no doubt of the advantages possessed by the sea crab over the other enemies of this mollusca. To their hostile character they unite a singular intelligence regarding their mode of attack; the principal arms used by them are their claws; for we can give no other name for their two legs or vices which are formed precisely like those of the common crab but much stronger and larger; they use them for the purpose of seizing their prey, and of digging in the mud, and even in the ground.

These fish possess the facility of being able to live out of the water for some time. In general this amphibious species has an organisation and covering similar to the crab, with the exception that its body is flat, its shape square and about three inches in width, where the animal has arrived at its full growth.

When the spring-tides cast the waters of the sea on the coast, the sea-crab is driven by the tide into the shallow water and if unable to enter in consequence of the extent of water, they cower or squat in some cavity or perhaps make a hole in the soft sand around the rocks, in order to be able now and then to pass through and through to come at the Oysters, or it may be await the next spring tide, in order to further their designs. This is the reason that guardians of the Oyster beds are so careful in examining all quarters, after the ebbing of the tide, lest the crabs should have made any havoc in the beds. If they did not observe, and at once repair any damage, the surrounding water would destroy the enclosures, and the Oysters would be thus exposed to a thousand accidents.

Once introduced into an Oyster bed the sea crabs lay all sorts of snares to entrap the Oysters. Sometimes they mount up on them and endeavour by pressure to prevent them opening their valves ; the mollusca thus kept in durance have not power either to draw in water or breathe, and are obliged finally to yield, and become the prey of their enemies. Occasionally they dig a hole under them, or beside them, retiring in order that they may fall into it, they are by this means smothered, and then eaten. Finally, the crab is so fond of the flesh of the Oyster, that he employs all manner of artifices to take away his life, and the moment the Oyster dies his valves open, and the aggressor is thus enabled to make a good repast.

The mud or mire is an enemy even more to be dreaded than the crab ; this substance is more baneful, attacking them in shoals, and overpowering them in the fish-ponds ; a real poison from which they are in danger of perishing, if the caretakers do not come promptly to their assistance, by flooding the water, or by draining off the water so that they may be able to discern the fish.

Oysters are eaten by gourmets before or after soup : common people eat them at any time, some strew over them a very

fine species of ground pepper, called *mignonnette* ; great care, however, should be observed in not using this condiment too abundantly, as it is likely to cause a violent heat at the neck of the bladder which is rather dangerous ; others prefer pouring a few drops of citron, verjuice, or even vinegar over them. Real gourmets, however, eat them naturally off the shell without any mixture whatsoever, and this we believe to be by far the better way.

Milk is considered a remedy against the indigestion consequent on a too great deglutition of Oysters, this is however an error, a table-spoonful of vinegar, according to our notion, would be a far better remedy against such a mishap.

In 1745, a physician named Pourfor-Dupetit, maintained this strange proposition :—"An inter edendum *Ostrea meri potus* ?" We should not drink wine whilst eating oysters.

The learned disciple of Hippocrates cites the Greeks and the Romans, prohibiting the use of all kinds of wine.

He piles argument on argument to prove his doctrine, and brings to his assistance Celsus and Galen, Boerhaave and others, according to whom wine hardens the Oyster, rendering it tough and difficult of digestion.

No one undertook the defence of wine, they did better, they drank it and eat the oysters, nor did they find them less easy to digest; this was the best reply to make the doctor, giving a practical denial to his proposition, by doing quite the contrary to what his theory recommended.

It is possible that certain wines which contain too much of the alcoholic principle would be injurious to drink with oysters, wine should consequently be selected in which acid principles predominate.

White wines under these circumstances must be preferred, as it is generally the practice whilst eating oysters to drink a great deal. Those who swallow fifteen, twenty, or thirty dozen Oysters, run a great risk of being very soon intoxicated, if the liquor of the Oysters did not act on the stomach and cause almost immediate digestion.

After having found the Oyster possessed of great alimentary resource and vast powers of nutriment, we shall now examine what are its virtues as a medicament.

We shall begin by recording the cure of a quartian ague under which Henry the Fourth, of France, labored, resisting the skill of all his physicians, and which was effected by eating an abund-

ance of Oysters and drinking hippocras. Without attributing this success exclusively to the Oysters and wine, we must take into account, that, at the period to which we allude, the most simple intermittent fevers became violent owing to the weakness of the treatment by which they were opposed.

Oribasius, physician to Julian, did not, as we learn from his *Εἰς διαίτην καὶ ἰατρικὰς* consider Oysters very nourishing food, but he advised the use of them for relaxing the stomach.

Actius in his *Εἰς τὴν ἰατρικὴν Ἐκκρίσις*, was of the same opinion, and Horace acknowledges in them this quality—

“Si dura morabitur alvus,

Mytilus et viles pellent obstantia conchæ.”

Physicians who have written on this mollusca, agree in prescribing it in the same case, “Emolliunt ventrem, et reconvalescentes faciunt appetere cibos.”

This is very nearly the language held by all.

The principal quality of the Oyster was to furnish a nutritive substance easily assimilated, and a saline water as a necessary stimulant, from which, however, one should abstain in all inflammatory diseases, whilst the use of it was salutary and useful in several chronic affections. Thus, in diarrhœa which has resisted all other species of treatment, the Oyster has proved to be the best medicine, and has caused a cessation, as if by enchantment, of an illness which threatened to prove fatal.

These good effects appear to be altogether owing to the osmazome contained in Oysters.

The Oyster is also an invaluable resource against scurvy; acting both as a medicament and an aliment. It makes excellent soup which yields osmazome, in much greater quantity than beef, and which is both wholesome and agreeable, and when united with fresh vegetables and some acids, effects a cure as prompt as it is unfailing.

Oysters have been prescribed with much benefit in chronic phthisis, at the end of catarrhs, and in general it is an excellent means of putting a stop to these colds which are so indefinitely prolonged. The excitation produced by their liquor facilitates expectoration, and helps to restore to the organs which are the seat of the malady the tone they have lost.

Several gouty persons have derived benefit from using Oysters, and Doctor Pasquier does not hesitate, after some happy results which he experienced, to prescribe them in certain circumstances during this malady.

Paulus Aegineta,* recommends Oysters crushed in pieces, with their liquor, as an application to ulcers. They are at the present day used with advantage in cases of certain atonic ulcers which require to be excited and cleansed; the tent of lint with which the surface of the ulcer is to be covered is dipped into the plain liquor of the Oysters. These means are generally employed, and are for the most part successful when the disease is in the legs.

Ambrose Paré † recommends also the application of pounded Oysters, and their shells, to the pestilential tumours. These fish when thus applied assuage the pain, cool the great heat and inflammation, and draw wonderfully the malignant venom. It is not useless to remark that Oyster shells possess also economic properties; when the shells have been a sufficient time in the mould to become decayed and communicate their alkali to the mould, and are stirred up and mixed together, they produce a most useful manure for vegetation.

Oysters are destroyed by the plan of serving them open. We should take them fresh from the newly opened shell; eaten as we too often see them, they are no more the genuine Oyster than is Champagne which has had the cork out for an hour, like the bubbling, laughing tippie, with its bouncing beady kisses, sent gushing and sparkling from the loud popped flask, just ravished from the ice pail.

Then we kill the fish by hacking it in the opening. The Oyster is a gentle creature; he likes us to coax him open, not to murder him with a knife like a rolling pin. Gay knew this when in the third book of his *Trivia* he wrote:—

“If where Fleet-ditch with muddy current flows,
You chance to roam, where Oyster-tubs in rows
Are rang’d beside the posts; there stay thy haste,
And with the savoury fish indulge thy taste:
The damsel’s knife the gaping shell commands,
While the salt liquor streams between her hands.”

Just so, they bleed their juice out, but they are not mangled. Gay continues:—

“The man had sure a palate cover’d o’er
With brass or steel, that on the rocky shore
First broke the oozy Oyster’s pearly coat,
And risqu’d the living moreel down his throat.”

* Lib. iv, cap. xi.

Book xxii. p. 874, Paris edition.

Of course he had, if he broke the Oyster, and he deserved, but for his ignorance, to be choaked with the shells: yet how that man must have felt when he swallowed that first Oyster, and a new pleasure was given to his happy, unsophisticated palate. He had no vinegar, he had no pepper, but he was wiser than those who use them, and above all he had the Oyster, snatched from his "bed," and floating in his "native element." He was not like the idiot whom we met this season at the Red Bank Tavern: we had gone in after hearing Bosio, to drown our thirst and excitement, when suddenly there entered a tall, bucolic man who said, "Waither, some Oysthers;" "yis, sir," says the waiter, and the Oysters were brought. Down sat the long man, and forthwith he began to feed. We saw him look anxiously over the little table, when suddenly he roared "Waither." Up came the waiter, with an interrogative hand-rubbing peculiar to his class, and the long man said—"Waither, I want the salt." "Salt, sir," asked the waiter, "is it with Oysthers?" "Yis," replied the long man, "I can't ayt Oysthers without salt." We started from our seat (first paying our bill) and fancied that we had seen the last of the old Irish who dwelt inland, but certainly no descendant of those who fought with Briau at Clontarf.

Here, for the present, we end our dissertation upon Oysters; on an other occasion we may be able to tell the reader something of Cockles, and possibly to induce him to adopt genial, clever, Valentine Vousden's advice, and on *Larry Doolin's* car to take a pleasant jolt towards Raheny, or to Sandymount, "to pick cockles on the strand." There is nothing in Ireland like Sandymount strand on a fine evening when the sun is sinking low, or when in noon day the bright light is falling far out upon the Pidgeon House. The whole scene is bathed in light, or gilded in sunset, and the lines of golden glory or of silver beauty light up all the long swelling strand, with its dimpling pools or its broad brown bosom; beauties unknown to those who will first suffocate themselves with a ride to the Park, through Dublin, and then roast themselves during a gallop in the green, but burning savannas of the Fifteen Acres.

Thus, reader, we leave you; but before we close we desire that you try our teaching. Order, therefore, a quarter of a hundred Oysters, have them opened before you, and bolt them as they are opened; and then, as each dying fish sinks below your palate, say, with open mouth, and up-turned, extatic eyes, HAPPY BE HE WHO WROTE, IN THE IRISH QUARTERLY, THE PAPER—OYSTERS.

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